



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.361 OF 2022
IN
WRIT PETITION (ST.) NO.95152 OF 2020

Ali Hasan Vasil Khan .. Petitioner.
v/s.
M/s. Raj Enterprises & Others .. Respondents.

Mr. Amogh Singh with Mr. Rahul Arora i/b. Mr. D. P. Singh, for the
Petitioner.

Mr. Akshay Shinde, for Respondent Nos.3 and 5 to 7- MHADA.

**CORAM: SUNIL B. SHUKRE &
FIRDOSH P. POONIWALLA, JJ.**
DATE : 5th SEPTEMBER, 2023.

PC:-

Heard this matter for some time. It appears that there is a dispute regarding the rate at which and the month from which the transit rent should be paid to the Petitioner by the Developers.

2 Mr. Singh, learned Counsel appearing for the Petitioner submits that the Developer has been sending cheque of Rs.1,20,000/- to the Petitioner every month but those cheques are being refused by the Petitioner and thus, those cheques are not being encashed by the Petitioner.

3 At this stage, learned Counsel for the Petitioner upon instructions, states that Petitioner would accept the cheques for

Rs.1,20,000/- towards monthly transit rent under protest. He further submits on instructions that leave may be granted to the Petitioner to withdraw the Petition with liberty to take recourse to appropriate proceedings for redressal of his grievance.

4 Statement made on behalf of the Petitioner for accepting transit rent at the rate of Rs.1,20,000/- p.m. under protest, is accepted.

5 Leave to withdraw the Petition with liberty to take recourse to appropriate proceedings, if available, is granted.

6 Petition is accordingly disposed of.

(FIRDOSH P. POONIWALLA ,J.)

(SUNIL B. SHUKRE,J.)