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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2401 OF 2013

Maharashtra Tourism Development Corporation ... Petitioner
V/s.
Baron Hotels Pvt. Ltd & Anr. ... Respondents

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**WITH
CIVIL APPLICATION NO.384 OF 2018
IN
WRIT PETITION NO.2401 OF 2013**

Baron Hotels Pvt. Ltd & Anr. ... Applicants
In the matter between
Maharashtra Tourism Development Corporation ... Petitioner
V/s.
Baron Hotels Pvt. Ltd & Anr. ... Respondents

Mr. L. M. Acharya a/w Mr. Anish Khandekar and Ms. Uroosa Shaikh, for petitioner.

Mr. Zal Andhyarujina, Senior Advocate a/w Mr. Dormaan Dalal, for respondent No.1 in Writ Petition No.2401 of 2013 & for applicant in Civil Application No.384 of 2018.

Mr. Zal Andhyarujina, Senior Advocate a/w Mr. Darashanchandra B Zaveri, for respondent No.2 in Writ Petition No.2401 of 2013 and for applicant No.2 in Civil Application No.384 of 2018.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 20, 2023

P.C.:

1. By the consent of the parties, following order is passed:
 - a) The impugned judgment and order dated 31 July 2012 passed by the District Judge, Pune in Civil Appeal No.642 of 2008 and the order dated 11 September 2008 passed by Resident Deputy Collector/ Competent Authority, Pune in Eviction Petition No.82 of 2006 are quashed and set aside.
 - b) All contentions of both the parties are kept expressly open to be adjudicated by the authorities below.
2. Considering the facts of the case, the First Authority i.e. Resident Deputy Collector and Competent Authority, Pune is directed to decide the application within twelve weeks from today.
3. The parties shall appear before the Resident Deputy Collector and Competent Authority, Pune on **26 September 2023**.
4. The First Authority shall fix schedule for arriving on decision as per the provisions of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 and the Maharashtra Government Premises Eviction Act, 1956.
5. The writ petition stands disposed of in above terms.
6. The prayer made in Civil Application No.384 of 2018 shall be subject to final adjudication by the First Authority.

(AMIT BORKAR, J.)