

Ashwini V

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO. 349 OF 2023**

Khadija w/o Abdul Rehaman Bhoira ...Petitioner  
*Versus*  
Municipal Corporation of Greater Mumbai & Anr ...Respondents

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**Mr Pradeep J Ramchandani**, *for the Petitioner.*  
**Mrs Jyoti Chavan, AGP**, *for the Respondent-State.*  
**Dr Abhinav Chandrachud**, *with Ramiz Shaikh, for Respondent No.8.*

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**CORAM   G.S. Patel &  
              Neela Gokhale, JJ.**  
**DATED:   14th February 2023**

**PC:-**

1. Dr Chandrachud on behalf of the developer the 8th Respondent says that despite of order dated 20th January 2023, the Petitioner has not vacated the premises. We have given an extended time until the end of the day of 10th February 2023 to vacate. Instead, the Petitioner seems to have filed FIR alleging theft by the 8th Respondent and on that basis refused to hand over possession.

2. Today, the learned Advocate for the Petitioner states that in fact the premises have been emptied. The Petitioner and her son are present in the Court. They hand over the keys to the premises. These are given to Dr Chandrachud Attorney in Court. The 8th

Respondent will proceed today to take possession of the premises in question. If required, the Mahim Police Station will render all assistance and will permit possession to be taken, on production of an authenticated copy of this order irrespective of any criminal complaint or FIR that may have been filed.

3. List the matter for compliance tomorrow, 15th February 2023.

**(Neela Gokhale, J)**

**(G. S. Patel, J)**