

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2204 OF 2024

Kishan Pal Singh

... Petitioner

V/s.

Competent Authority & Ors.

... Respondents

Adv. Manjula Rao a/w Mr. Rohan Deshmukh, Advocate for the
Petitioner.

Mr. Premanand Torane, Advocate for Respondents No.3.

CORAM : RAJESH S. PATIL, J.

DATED : 16 FEBRUARY 2024

P.C.:

1. This Writ Petition challenges the order dated 12 February 2024. It is the case of the Petitioner-Licensee that the possession warrant is going to be executed today, therefore, the matter has been moved urgently.

2. Mr. Premanand Torane undertakes to file his Vakalatnama on behalf of the Respondent No.3. He submits that the Petitioner has not enclosed copy of the order dated 2 September, 2022 by which leave to defend was rejected by the Competent Authority. He submits that leave and license agreement was registered agreement, the execution of the leave and licence agreement has been admitted by the Petitioner-licensee. He further submitted that the license period was expired on 13 September, 2019. Hence,

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according to him, the leave to defend was rejected.

3. He further submitted that after passing of the Order dated 2 September, 2022 the eviction proceedings itself has been decided by the Competent Authority on 28 March, 2023. He further submitted that as of today the total compensation payable is of Rs.12,24,000/-.

4. In order to show their *bona fide* the petitioner is directed to pay of a sum of Rs.6,50,000/- directly in the Bank Account of Respondent No.3, within a period of one week from today.

4. Stand over to 28 February, 2024. The matter to come up under the caption of “High on Board”.

5. In the meanwhile, no coercive steps shall be taken against the Petitioner till 28 February 2024.

(RAJESH S. PATIL, J.)