

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10928 OF 2024

Kiran Balkrushna Ughade and Anr.

... Petitioners

Versus

The Ld. Presiding Officer,
Parents and Sr. Citizen Tribunal and Ors.

... Respondents

.....

Mr. H.D.Chavan, Advocate for the Petitioners.

Mr. Hamid Mulla, AGP for the respondent Nos.1 and 7-State.

CORAM : R. M. JOSHI, J.

DATED : 19th AUGUST, 2024.

P.C. :

1. Heard.

2. Learned counsel for the petitioners submits that the authority has committed error while passing impugned order by placing reliance on the order passed by this Court in Writ Petition No.2831 of 2006 dated 22.06.2012. By drawing attention of this Court to the said order, it is argued that the said petition was filed by the mother of the petitioner herein against her brother-in-law and as such said order does not exclude the right of the petitioner to reside in the said premises.

3. *Prima facie* perusal of the impugned order shows that except about dispute over the property, no other disputes are reflected from the

order passed by this Court noted above has been taken into consideration for removal of the petitioner from the premises in question. Having regard to the above facts, an arguable case has been made out the by the petitioners to stay the impugned order.

4. Hence, issue notice to the respondents, returnable on **10th September, 2024.**

5. Mr. Mulla, learned AGP waives service of notice for respondent Nos. 1 and 7.

6. Till next date of hearing there shall be stay to the impugned order.

(R. M. JOSHI, J.)