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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**WRIT PETITION NO.1249 OF 2024**

Kishor H. Mehta

.. Petitioner

**Versus**

Union Bank of India & Anr.

.. Respondents

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**None for the Petitioner.**

**Mr.Charles D'souza a/w Roshan Gaud**, Advocates for  
Union Bank of India/Respondent No.1.

**Mr.Deepak Chitnis**, Advocate for Krishna Developers Private  
Limited.

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**CORAM :B. P. COLABAWALLA &**  
**M.M. SATHAYE,JJ.**

**DATE : APRIL 26, 2024**  
**(in Chambers at 4.30 p.m.)**

**P. C.**

**1.** Mr.Chitnis, the learned counsel appearing on behalf of the Krishna Developers Private Limited submitted that pursuant to order dated 15<sup>th</sup> April, 2024 Krishna Developers Private Limited had agreed to vacate the 5<sup>th</sup> floor premises of the residential building (9 storied) situated at Plot No.53, Nutan Laxmi CHS Ltd., North South Road No.9 bearing C.T.S. No.660, S.No.70, Sub Plot No.53 admeasuring 800

sq.yards in the Nutan Laxmi Co-operative Housing Society Ltd., North South Road No.9, J.V.P.D. Scheme, Vile Parle (West), Mumbai-400056, by 27<sup>th</sup> April, 2024. He submitted that the said Krishna Developers Private Limited require time till 2<sup>nd</sup> May 2024 to vacate the premises because they are in the process of entering into a leave and license agreement with another party in relation to some other premises where they would be moving after vacating the 5<sup>th</sup> floor premises in the said building. He submitted that this time is required because the licensor of the new premises is unavailable to execute the leave and license agreement. He further submitted that Krishna Developers Private Limited, through their directors, would give written undertaking to the Court that they would vacate the 5<sup>th</sup> floor premises of the said building on 2<sup>nd</sup> May 2024 and handover the same to the 1<sup>st</sup> Respondent Bank.

**2.** Considering these peculiar circumstances, purely on humanitarian ground, we direct that Krishna Developers Private Limited shall handover vacant and peaceful possession of the 5<sup>th</sup> floor premises in the said building to the Authorized Officer of the 1<sup>st</sup> Respondent Bank on 2<sup>nd</sup> May 2024 at 11.00 a.m.

**3.** The written undertaking to this effect shall be filed by the Directors of Krishna Developers Private Limited by 29<sup>th</sup> April, 2024 and copy of the same shall be served on the advocates for the 1<sup>st</sup> Respondent Bank.

**4.** In these circumstances, we now place the above matter on 3<sup>rd</sup> May 2024 at 4.30 p.m. in Chambers.

**5.** This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**[M.M. SATHAYE,J.]**

**[B. P. COLABAWALLA, J.]**