KAWRE KIRAN KALYAN
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17616 OF 2025

Vijaykumar Rajaram Mourya ...Petitioner
Versus
The Apex Grievance Redressal Committe And Ors. ...Respondents

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Mr. Vishal Maheshwari a/w Kamini Pansare i/b V. M. Legal for Petitioner.
Ms. Tanaya Goswami, for Respondent – AGRC.
Mr. Ketan Joshi 'B' panel counsel for State a/w Mr. A. I. Patel, Addl. G. P. for Respondent.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATE: 24 DECEMBER 2025.

P.C.

1. Not on board. Taken on production board.

2. The petitioner is facing eviction at the hands of the respondent No.2, namely Deputy Collector (Special Cell) WS, SRA, Brihanmumbai.

3. The petitioner has already approached the Apex Grievance Redressal Committee (AGRC) by filing an appeal against such order. The petitioner submits that he is lawfully entitled to the tenement in question on the basis of the last will/"testament" executed by the tenant in favour of the petitioner, as also the society has admitted the petitioner as a member. Hence, the occupation of the petitioner in respect of the tenement according to the petitioner is lawful. Such is the contention of the petitioner in the appeal filed before the Apex Grievance Redressal Committee.

Kiran Kawre

4. The grievance of the petitioner is that although such appeal along with an application for interim relief has been filed, the same has not been taken up by the Apex Grievance Redressal Committee. The petitioner apprehends that, without the petitioner being heard on such proceedings, a *fait accompli* ought not to take place, namely that the petitioner nonetheless should not suffer eviction.

5. In the aforesaid circumstances, we are inclined to dispose of this petition by directing the AGRC to decide the petitioners appeal or the stay application as expeditiously as possible and in any event, within a period of three months from today. All contentions of the parties in that regard are expressly kept open.

6. Till the proceedings are decided by the AGRC, no coercive action be taken against the premises of the petitioner.

7. In the event, an order adverse to the petitioner is passed, the same shall not be given effect to for a period of 15 days from the date of communication of the said order.

8. Ordered accordingly.

9. Thus, keeping open all contentions of the parties to be asserted in the pending proceedings, the petition is disposed of. No costs.

(AARTI SATHE, J.) (G. S. KULKARNI, J.)