

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3535 OF 2025

SANTOSH
SUBHASH
KULKARNI

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SANTOSH SUBHASH
KULKARNI
Date: 2025.07.19
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Wasim Sabir Khan

...Petitioner

Versus

The State of Maharashtra and ors.

...Respondents

WITH

INTERIM APPLICATION NO. 7862 OF 2025

Mr. Avinash Upadhyay, a/w Akash Gupta, i/b Sumit
Upadhyay, for the Petitioner – Applicant.

Mr. Hamid Mulla, AGP for the State – Respondent Nos.1 to 3.

Mr. Kartik Gantha, i/b Omkar Khanvilkar, for Respondent
Nos.4 and 5.

CORAM: N. J. JAMADAR, J.

DATED : 18th JULY, 2025

PC:-

1. Heard the learned Counsel for the petitioner.
2. The learned Counsel for the petitioner, on instructions, submits that the petitioner is willing to file an undertaking before this Court to vacate the suit premises within one month. Therefore, the execution and operation of the impugned order so far as the delivery of possession of the suit premises, be stayed for a period of one month.
3. Subject to the petitioner filing an undertaking before this Court, during the course of the day, that the petitioner will hand over clear and vacant possession of the subject premises to

the respondent – licenser on or before 17th August, 2025 and, in the meanwhile, the petitioner will not create any third party interest in the suit premises or part with possession thereof, the execution and operation of the impugned order stands stayed till 18th August, 2025.

4. It is hereby made clear that, if the undertaking is not filed by the petitioner on the aforesaid terms, during the course of the day, the aforesaid order shall stand recalled.

5. The petition stands disposed in the aforesaid terms.

6. In view of disposal of the petition, IA/7862/2025 also stands disposed.

[N. J. JAMADAR, J.]