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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 4361 OF 2025
IN
WRIT PETITION(ST) NO. 12077 OF 2021

Saraswati Divakar Kotian ...Applicant/Petitioner
Versus
The Chief Executive Officer, SRA And 3 Ors. ...Respondents

Ms. Archana P. Gaikwad, for Petitioner.

Ms. Ravleen Sabharwal, for Respondent No.1/SRA.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 19th NOVEMBER 2025

P.C.

Interim Application No. 4361 of 2025

1. By this interim application the Applicant/Petitioner has prayed for restoration of this Petition which came to be dismissed for want of prosecution vide the order passed by the Registry dated 8th March 2024. There is a delay of 375 day in filing of this application.

2. Having perused averments in that regard, we are of the opinion that the Applicant ought not to suffer any prejudice, the delay needs to be condoned, it is accordingly condoned.

3. The interim application is allowed in terms of prayer clause (a) and (b).

WRIT PETITION (L) NO. 12077 OF 2021

4. This Petition under Article 226 of the Constitution of India filed praying for following substantive reliefs:

a) This Hon'ble Court be please to direct the Respondent No.3 to pay 13 years arrears of rent to the present Petitioner for residential as well as for Commercial structure as specified in the Chart annexed at Exhibit-J herein above.

b) That the Respondent No. 3 be directed to execute the registered agreement with the present Petitioner and to provide permanent alternate accommodation.

c) That the fine of Rs. 3,00,000 be imposed upon the Respondent No.3 payable to the Petitioner.

5. Learned counsel for the Petitioner seeks leave to withdraw this Petition in view of the subsequent developments, with liberty to the Petitioner to pursue the proceedings which are now initiated by the Petitioner, asserting entitlement in respect of commercial tenement.

6. Allowed to be withdrawn with liberty as prayed .

7. All contentions of the parties in that regard are expressly kept open.

8. Disposed of. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)