

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.599 OF 2025

WITH

INTERIM APPLICATION NO.38409 OF 2025

Moinuddin Mohammed Yusuf
Chaudhary And Anr.

... Applicants

V/s.

The Board Of Mumbai Port
Authority

... Respondent

Ms. Anisha Balse h/f Mr. Prerak Choudhary, for the Applicants.
Mr. Mandar Bangale i/b Bangale and Associates, Advocate for the
Respondent.

CORAM : MADHAV J. JAMDAR, J.

DATED : 10th FEBRUARY 2026

P.C.:

1. Heard Ms. Balse, learned counsel appearing for the Applicants, and Mr. Bangale, learned counsel for the Respondent.
2. After arguing the matter for sometime as the Court is not inclined to grant any relief, Ms. Anisha Balse, learned counsel appearing for the Applicants, on instructions of the Applicants who are personally present, seeks withdrawal of the Civil Revision Application. However, she submits that time of one year be granted to vacate the suit premises.
3. Accordingly, the Civil Revision Application is allowed to be withdrawn and dismissed as such, however, the Applicants are granted

time up to 28th February, 2027 to vacate the suit premises, on certain conditions.

4. The Civil Revision Application is disposed of by passing following order:-

a) The Civil Revision Application is allowed to be *withdrawn* and *dismissed* as such.

b) The Applicants are granted time upto 28th February, 2027 to vacate the suit premises, on the condition that both the Applicants and all other adult family members shall file undertaking in this Court within four weeks from today giving undertaking to this Court that on or before 28th February, 2027, they will vacate the suit premises. The statement to that effect made by Ms. Balse, learned Counsel of the Applicants, on instructions of the Applicants who are personally present, is accepted as undertaking given to the Court.

c) The Applicants shall pay to the Respondent an amount of Rs. 25,000/- per month till vacating the suit premises. The said amount

is to be paid on or before 15th of each month.

First such payment is to be made by the Applicants on or before 15th February, 2026.

It is clarified that the said payment is without prejudice to the rights and contentions of both the parties.

d) It is made clear that if the Applicants fail to vacate the suit premises by 28th February, 2027, in that event, the Court Receiver, High Court, Bombay shall stand appointed immediately thereafter with all the powers under Order XL of the Code of Civil Procedure, 1908.

e) The Court Receiver shall take possession of the suit premises and hand over the same to the Respondent, if the Applicants fail to vacate the suit premises on or before 28th February, 2027. If required the Court Receiver is permitted to take police protection.

f) The initial charges of the Court Receiver shall
be deposited by the Respondent and the same
to be recovered from the Applicants.

5. Accordingly, the Civil Revision Application is ***dismissed*** as
withdrawn subject to above.

6. It is made clear, that if the Applicants fail to pay the said amount,
of Rs. 25,000/- per month, then in that event, the Applicants shall not
be entitled for the benefit of this order and the eviction decree may
immediately be executed after the first default.

(MADHAV J. JAMDAR, J.)