

Vinaa Khadpe
(P.S.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6186 OF 2023

M/s. Shady Grove Hotel

.. Petitioner

Versus

Airports Authority of India and anr

.. Respondents

.....

- Mr. Pradeep Thorat a/w Mr. Bharat Jain, Mr. Vasundhara Soni for the Petitioner.
- Ms. Shilpa Kapil a/w Mr. Chidanand Kapil for the Respondent No.1.

.....

CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 5, 2024

P.C.:

- 1.** Not on Board. Mentioned. Taken on Board.
- 2.** This Writ Petition is filed in respect of the order passed under Section 12 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 by the learned City Civil Court dismissing the statutory Appeal of the Petitioner. Admittedly, Petitioner has been a long standing occupant of the subject premises in respect of which the provisions of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 have been invoked.
- 3.** Grievance of the Respondents representing by Ms. Kapil is that the substantial outstanding / arrears is due and payable. Though, I am inclined to allow the Petitioner to continue in the subject premises considering the substantial challenge to the order of the City

Civil Court, I have also equally impressed upon Mr. Thorat, learned Advocate appearing for the Petitioner that before granting interim relief, this Court shall seek the Petitioner to prove its *bonafides*, and by that, I mean that the Petitioner would have to make substantial deposit in this Court which shall undoubtedly be held subject to the outcome of the present Petition finally.

4. In this view of the matter, ad-interim relief granted on 8 May 2023 shall stand continued in the meanwhile.

5. However, Writ Petition is fixed for admission 16 January 2024.

Vinaa Khadpe

[MILIND N. JADHAV, J.]

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