

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10289 OF 2022**

Kalika Hiranman UkandePetitioner
V/S
The Additional Collector & Anr.Respondents

Mr.Vijay Thakur for the Petitioner.

Ms.Jonita D'Abreo i/b JRA Law Associates LLP for Respondent No.2.

**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ**

DATE : 20th APRIL 2026

P.C. :

1 The Writ Petition raise a challenge to the order of the Appellate Authority cum Additional Collector, Mumbai Suburban, thereby directing Respondent No.1 Hiranman Ukande i.e. son of Sojarbai Ukande and her daughter in law Kalika Hiranman Ukande, to hand over peaceful vacant possession of Room No.319 in Building No.2, Third Floor, Siddhivinayak Building, Bandra (East), Mumbai - 400 051, to Sojarbai Ukande, and further directing that they shall not create any obstacle in she being in occupation and possession of the said unit.

2 The order being passed in the year 2022, the Writ Petition is filed and when the matter is listed before us today, we are informed by the learned counsel for the Petitioner as well as the learned counsel representing Respondent No.2 that at present Sojarbai is residing in the aforesaid unit to the exclusion of Petitioner.

3 Though the learned counsel for the Petitioner has invited our attention to the Consent Terms filed before the Metropolitan Magistrate, where it was agreed that even the daughter-in-law would be entitled for an alternative premises, in our opinion the said Consent Terms have merged into the order dated 01/06/2022 and has no efficacy.

Since the order dated 01/06/2022 passed by the Appellate Authority under Senior Citizen's Welfare Act, 2007 stand implemented as Sojarbai is in exclusive possession of the said unit, we deem it appropriate to dispose of the Writ Petition by upholding the impugned order.

4 In the wake of above, Writ Petition stand disposed of.

[MANJUSHA DESHPANDE, J.]

[BHARATI DANGRE, J.]