

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO. 190 OF 2015

Arun Shridhar Joshi

..Applicant

Vs.

Maheshwar Balkrushna Vaze

..Respondent

....

Mr. D.S. Joshi, Advocate for Applicant.

Ms. Sucheta Mirrashi, Advocate for Respondent.

....

CORAM : N.M. JAMDAR, J.

DATED : 20 APRIL 2015

P.C.:

The learned Counsel for the applicant after arguing the matter for some time on instructions, states that the applicant be given some time to vacate the premises and if time is granted, the applicant will not pursue the challenge to the impugned order and will withdraw the Civil Revision Application.

2. Upon the statement made on instructions, the Civil Revision Application is dismissed as withdrawn. In my opinion, considering the facts and circumstances of the case, time till the end of the year 2015 i.e. till 31 December 2015 to vacate the premises will be a reasonable period. Accordingly, it is directed that the possession of the petitioner of the suit premises be protected till 31

December 2015. This shall be however on the statement of the learned Counsel for the applicant that the applicant alone is in possession and will not create any third party rights. These statements are accepted.

3. The applicant and all family members residing with him shall file their usual undertaking in this Court within a period of three weeks from today. If the usual undertaking as specified are not filed within three weeks from today, the impugned decree shall stand executable forthwith. The undertaking interalia shall state that the applicant and other family members will handover the vacant and peaceful possession of the said premises to the respondent on 1 January 2016.

(N.M. JAMDAR, J.)