

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

***CIVIL REVN. APPLICATION NO. 125 OF 2015
ALONG WITH
CIVIL REVN. APPLICATION NO. 126 OF 2015***

Mr.Manoj Arbindo Saha

... Applicant in
both applications.

v/s

Mr.K. Gopal Rao (since deceased)
through legal heirs.

1(a) Mr.Ravindra Gopal Rao and

1(b) Mr.Arun Gopal Rao

... Respondents

Mr.Milind Deshmukh for the applicant in both applications.

Mr.J.M. D'Silva for the respondents in both applications.

CORAM: NITIN M. JAMDAR, J.

DATED : 1ST APRIL, 2015

ORAL ORDER:

Learned counsel for the applicant, after arguing the applications for some time, seeks leave to withdraw the civil revision applications and submits, on instructions, that one year's time be granted to vacate the suit premises. Learned counsel for the respondents is not averse to grant of time but submits that the applicant should be put to conditions.

2. Accordingly, the civil revision applications are dismissed as

withdrawn. No costs.

3. It is however directed that the possession of the applicant will be protected till 30 March 2016. This is on the statement made by the learned counsel for the applicant that the applicant alone is in possession of the suit premises. The applicant shall file an usual undertaking in this Court within three weeks from today, stating therein that he will not create any third party rights, he will hand over vacant and peaceful possession of the suit premises to the respondent on 1 April 2016 and that the applicant will pay an amount of Rs.6,000/- per month to the respondent landlord. The undertaking shall be filed within a period of three weeks as directed above, failing which the decree shall become executable forthwith. It will be open to the respondents to move for modification of the order in case the applicant fails to deposit the monthly compensation.

4. Learned counsel for the respondent states that the details of the bank account of the respondents where the applicant can transfer the amount of monthly compensation, will be given to the learned counsel for the applicant under a letter, within a period of two weeks from today.

(NITIN M. JAMDAR, J.)