

Sequeira

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

CIVIL REVISION APPLICATION NO. 151 OF 2015.

Mr.Jaidev S.Maity.

.. Applicant

Vs.

Mr.Harish Shambhulal Hariani.

.. Respondent

Ms Sandhya Nanavare i/b M.Janardhanan, for the Applicant.
Mr.Sunil More, for the Respondent.

***CORAM: N.M.Jamdar J.
Monday 6 April, 2015***

Oral Order :

The learned counsel for the Applicant, after arguing the matter for some time, on instructions, states that the Applicant is willing to withdraw the Revision application provided some time to vacate the premises is granted to the Applicant. The learned counsel for the Applicant states that time up-to November 2015 be granted to the Applicant to vacate the premises.

2 The Revision Application is dismissed as withdrawn.

3 It is however, directed that the possession of the Applicant be protected till 1 December 2015, on the condition that Applicant files an usual undertaking within three weeks from today. The learned counsel for the Applicant on instruction states that the

Applicant alone is in possession. The Respondent will not create third party rights in the property. The usual undertaking shall provide for the same and also that the Applicant will keep paying the compensation as directed by the Appellate Bench of the Small Causes Court, Mumbai, till the premises are vacated.

4 The undertaking will also provide that the Applicant will hand over peaceful and vacant possession of the suit premises on 1 December 2015 to the Respondent. If the undertaking is not filed within period of three weeks from today, the decree shall stand executable forthwith.

(N.M.Jamdar, J.)