

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

***CIVIL REVN. APPLICATION NO. 777 OF 2014***

Suresh Kashinath Pawar

... Applicant

v/s

Suresh Kashinath Sorte

... Respondent

Mr.Rahul Kadam for the applicant.

Mr.Pankaj Das for the respondent.

***CORAM: NITIN M. JAMDAR, J.***

***DATED : 18TH MARCH, 2015***

***P.C.:***

After arguing the matter for some time, the learned counsel for the applicant, on the instructions of the applicant, states that the applicant wishes to withdraw the revision application and some time to vacate the premises may be granted.

2. Learned counsel for the applicant states that, two years' time may be granted to vacate the premises. Learned counsel for the respondent opposes two years' time and submits that there is a concurrent finding in favour of the respondent landlord on the ground of bonafide requirement as well as hardship and, therefore, shorter period be granted.

3. Considering the facts and circumstances of the case, time is granted to the applicant to vacate the premises till 31 December 2015, on the condition that on 1 January 2016 the applicant and his/or his all the family members residing with him will hand over peaceful and vacant possession of the premises to the respondent. This is, however, subject to the applicant and/or the adult family members residing with him file usual undertakings in this Court within a period of three weeks from today stating that they will hand over the possession on 1 January 2016 and they will not create any third party rights in the property or part with the possession. If the undertaking/s is/are not filed within a period of three weeks from today as directed, the impugned order and decree shall become executable forthwith.

4. The application is disposed of as withdrawn.

**( NITIN M. JAMDAR, J. )**