

Sequeira

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

CIVIL REVISION APPLICATION NO.304 OF 2014.

Along with

CIVIL APPLICATION NO. 533 OF 2014.

And

CIVIL APPLICATION NO. 534 OF 2014.

(For Stay)

Shri Mohammed-ul-Haq-Aji-ul-Haq .. Applicant

Vs.

Shri Shivaji Nana Jadhav. .. Respondent

Ms.Sucheta Mirrashi, for Applicant in all Applications.

Ms Sandhya Mailgir i/b Mr.Anil Joshi, for the Respondent.

CORAM: N.M.Jamdar J.

Tuesday 17 March, 2015

PC.:

After arguing the matter for some time, Ms Mirrashi, the learned counsel for the Applicant, on instructions, seeks leave to withdraw the Revision application making a request that reasonable period to vacate the premises in question be given to the Applicant. Ms Mirrashi states that two years period be granted. Ms Mailgir, the learned counsel for the Respondent submitted that at the most six months period be granted.

2. Considering the facts and circumstances and that the suit was instituted only on the ground of default, I am of the opinion that one year's time to vacate the premises would meet the ends of justice.

3. Accordingly, the revision application is disposed of as withdrawn. The Applicant will file an undertaking in this Court of himself and of adult members residing with him, that he will hand over vacant and peaceful possession of the suit premises to the Respondent-landlord, on 17 March 2016. The undertaking will also provide that he will not create any third party rights or encumbrances in the property. If the undertakings on affidavit are not filed within a period of three weeks from today, the impugned orders and decrees shall become executable forthwith.

4. In view of the disposal of the revision application, Civil applications do not survive and are disposed of accordingly.

(N.M.Jamdar J.)