

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

CIVIL REVN. APPLICATION NO. 1140 OF 2014

Mr.Noora Karim Shaikh & anr.

... Applicants

v/s

Mr.Babasaheb Govindrao Ghone (deceased)
through His Legal heirs -

Smt.Chanchala Babasaheb Ghone & ors.

... Respondents

Mr.Vikas Shivarkar for the applicants.

Mr.Madhav Jamdar for the respondents.

CORAM: N. M. JAMDAR, J.

DATED : 29TH APRIL, 2015

P.C.:

After arguing the revision application for some time, the learned counsel for the applicants, on instructions, states that if the applicants are granted reasonable time to vacate the premises, the applicants will not press the revision application on merits. Accordingly, the revision application is dismissed as not pressed.

2 Learned counsel for the applicants prays for 12 months' time to vacate the premises. Learned counsel for the respondents states that, at the most six months' time may be granted.

3 Considering the facts and circumstances, I am of the opinion that the time to vacate the premises up-to the end of the year 2015 would be reasonable. Learned counsel for the parties agree. Accordingly, it is directed that the possession of the applicant be protected till 31 December 2015. Learned counsel for the applicants states that applicants alone are in possession and will not create third party rights. These statements are accepted.

4 The time to vacate the premises is granted on condition that the applicants along with adult family members will file their usual undertakings in this Court in its prescribed format by 12 June 2015, with advance copy to the learned counsel for the respondents. The undertakings shall *inter alia* contain that the applicants will hand over peaceful possession of the property by 1 January 2016. If the undertaking/s is/are not filed within the prescribed time, the decree shall become executable forthwith.

(N. M. JAMDAR, J.)