

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (CAS) No.204 of 2015

In

Second Appeal No.403 of 2014

(Riyaz Khan s/o Rahim Khan v. Dnyaneshwar Vitthalrao Chamat, and
others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri J.J. Chandurkar, Advocate for Applicant/Appellant.

Shri A.M. Ghare, Advocate for Non-Applicants/Respondents.

Coram : R.K. Deshpande, J.

Dated : 27th February, 2015

The second appeal was dismissed by this Court on 25-2-2015 and the matter was adjourned only for the appellant to file an undertaking before this Court to vacate the suit premises. Hence, this application is filed seeking time up to December, 2015 to vacate the suit premises.

Shri Ghare, the learned counsel for the respondents, has opposed the application and submits that at the most three months' time can be granted to the appellant; provided the appellant gives an undertaking before this Court to vacate the suit premises within a period of three months by giving a particular date and to deposit the amount of rent in advance.

In view of above, the appellant to file an undertaking before this Court to vacate the premises by 31st May, 2015 and to deposit the amount of rent in advance; failing which it shall be treated that the decree for eviction shall become executable. The

undertaking be filed before this Court by 2nd March, 2015. The appellant shall continue to occupy the suit premises till 31st May, 2015. Needless to say that the decree for arrears of the amount of rent, if any, can be executed.

The civil application is disposed of accordingly.

Judge.

Lanjewar