

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

WRIT PETITION NO.3802 OF 2015

(Shriram Haribhau Tiwade (deceased) through L.Rs. Smt. Bebitai wd/o Shriram Tiwade and
 another ..vs.. The Friends Co-operative Housing Society Ltd., Nagpur through its Secretary)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 27-07-2015

Heard Shri Masood Shareef, learned Advocate for the petitioners and Shri V.S. Giramkar, learned Advocate for the respondent/society.

2. After the matter was argued for considerable time on behalf of the petitioners, I expressed my opinion that this is not a fit case which necessitates interference by this Court in the extra-ordinary writ jurisdiction.

3. The learned Advocate for the petitioners, on instructions, submits that the petitioners will vacate the suit premises by 31-01-2016. The petitioners are permitted to occupy the suit premises till 31-01-2016 on condition that the petitioners shall furnish an undertaking signed by all the petitioners to the effect that the petitioners will handover the vacant possession of the suit premises to the respondent on 31-01-2016. The undertaking shall be filed before this Court till 03-08-2015. If the undertaking is not filed till

03-08-2015, the protection granted to the petitioners shall stand vacated and the respondent will be at liberty to proceed with the execution.

4. The petition is disposed in the above terms. No costs.

JUDGE

pma