

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

-

SECOND APPEAL No. 114 of 2015

-

P.C:

Learned counsel for the appellants does not press this appeal on merits and submits that the appellants would be satisfied if they are given time to vacate the premises till the end of December, 2015.

Learned counsel for the respondents submits that time may be granted only on the appellants furnishing usual undertaking in this Court.

In the circumstances, I am satisfied that the following order shall meet the ends of justice:

“The appellants are directed to furnish separate undertakings to this Court stating that they shall vacate and handover peaceful possession of the suit premises to the respondents-decree holders on or before 31.12.2015. They shall also state on affidavits that till then, they shall not create any third party rights in the suit premises and that no third person is in possession/occupation of the suit premises. Undertakings are directed to be filed within two weeks from today with an advance copy thereof to the Advocate for the respondents. Undertakings, if filed, shall stand accepted by this Court.

The appellants are further directed to clear arrears of rent, if any, within a period of fifteen days from today, failing which, it would be open to the respondents to execute the decree irrespective of their undertakings. The appellants are also directed to pay the rent on or before 10th of every month till they are in possession of the suit premises. If the appellants commit default, as aforementioned, it would be open to the respondents to execute the decree forthwith.”

With these observations, the second appeal is disposed of.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B.BHOSALE,J

Dt:02.04.2015

kdl