

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

CIVIL REVISION APPLICATION NO. 148 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. M.C. Moholkar for the Applicant.

Mr. P. J. Thorat for the Respondent No.1.

CORAM : K. K. TATED, J.

DATED : 31/03/2016

P.C.:

. Heard learned Counsel for the parties.

2 This Civil Revision Application is preferred by original defendant challenging the concurrent findings of facts recorded by both the Courts below.

3 The learned counsel for the applicant submits that Applicant Mr. Bholanath Bhagelu Yadav is present in the court. His presence is recorded.

4 After arguing for some time, the learned counsel for the applicant after taking instructions from his client makes a statement that applicant may be permitted to withdraw the present Civil Revision Application with liberty to occupy the suit premises for one year.

5 The learned counsel for the applicant further submits that applicant is ready and willing to file undertaking to that effect. He filed undertaking dated 31.03.2016. Same is taken on record and

marked 'X' for its identification.

6 The learned counsel for the applicant has given in writing on farad that he received instructions from his client to withdraw the present Civil Revision Application. Same is accepted and marked 'X1' for its identification.

7 Hence, following order is passed:

a) Civil Revision Application stands dismissed as withdrawn.

b) Undertaking dated 31.03.2016 filed by the applicant is taken on record ad accepted.

c) Applicant to handover the vacant and peaceful possession of the suit premises to the respondent landlord on or before 31.03.2017.

d) Applicant to pay rent of the suit premises regularly on or before 10th of each month to the landlord.

e) An arrears, if any, about the rent to be deposited in the Trial Court or to pay respondent landlord within three months from today.

f) Applicant is restrained by an order of injunction from creating any third party right, title and interest in respect of the suit premises till the handing over the vacant and peaceful possession as per undertaking to the respondent landlord.

(K.K.TATED, J.)