

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1584 OF 2016
IN
SECOND APPEAL NO. 230 OF 2015

Lalsahab s/o. Manikso Shaikh

..... Applicant

VERSUS

Badesahab Manikso Shaikh & Ors.

..... Respondents

Mr.Shailendra Kanetkar for the Applicant.

Mr.Samir Kumbhakoni for the Respondent no.2.

CORAM : R.D. DHANUKA, J.

DATE : 4th OCTOBER, 2016

P.C.

Papers are allowed to be produced at 03.00 p.m.

2. The applicant seeks extension of ad-interim order granted by this court in this civil application which is vehemently opposed by the learned counsel for the respondents.

3. Mr.Kanetkar, learned counsel for the applicant states that the applicant could not take any decision in view of there being a marriage in the family of the applicant and he being busy with marriage function, there was delay in filing undertaking within the prescribed period. He submits that the undertaking has been already filed by the applicant on 30th September, 2016.

4. Ad-interim order granted by this court as recorded in the order dated 1st August, 2016 passed by this court is continued for a period of four weeks. It is

made clear that no further extension would be granted. It is made clear that the extension is granted subject to the applicant filing an undertaking recording that he is in possession of the suit premises and has not parted with possession and will not sublet, assign or transfer or part with the possession of the suit premises or any part thereof and/or create third party rights or interest within one week from today and shall furnish a copy thereof to the learned advocate appearing for the respondents simultaneously.

5. It is made clear that if the undertaking is not filed by the applicant within the time prescribed, the extension of ad-interim order granted by this court to stand vacated without further reference to court.

6. Civil application is disposed of in the aforesaid terms. No order as to costs.

(R.D.DHANUKA, J)