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marked 'A' for identification. Upon taking instructions from him, Mr. Kumbhakoni states that petitioner / judgment-debtor will not press this Petition if judgment-debtor is given one month time to handover vacant and peaceful possession of the suit premises to the respondent / decree-holder. Mr. Kumbhakoni assures that judgment-debtor will not apply for further extension of time for handing over possession.

4. Mr. Kumbhakoni further states that petitioner has already instituted Regular Civil Suit No.326 of 2016 against the respondent / decree-holder challenging the sale deed dated 12.09.2011 among other reliefs. He states that judgment-debtor will take out appropriate applications, one for amending the plaint and another for interim relief restraining the decree-holder from creating third party interest and parting with possession. He assures that on or before 09.01.2017, judgment-debtor will file applications and serve copy in advance on the decree-holder and apply for appropriate interim order.

5. Mr. Tajane states that decree-holder is present in the Court. He has tendered photocopy of his Aadhar Card, which is taken on record and marked 'B' for identification. Upon taking instructions from him, Mr. Tajane states that till such time, the application for interim relief is heard by the Court, decree-holder will neither create third party interest nor part with possession.

6. Statements made by Mr. Kumbhakoni and Mr. Tajane, on instructions, are recorded.

7. Mr. Kumbhakoni further submits that liberty may be reserved to the judgment-debtor to file application for expeditious disposal of the Suit.

8. In view thereof, Petition is disposed of as not pressed. Petitioner is given one month's time i.e. on or before 21.01.2017 to handover vacant and peaceful possession of the suit premises to the respondent / decree-holder. Undertaking to that effect shall be filed by the petitioner and copy shall be served in advance on the other side on or before 04.01.2017. Petitioner shall also file applications, one for amendment of the plaint and another for interim relief, as indicated hereinabove, on or before 09.01.2017 and shall serve copy in advance on the respondent / decree-holder. Till such time, the application for interim relief is decided, respondent / decree-holder shall neither create third party interest nor part with possession of the suit premises. Petitioner shall not file application restraining the decree-holder from causing obstruction to his possession as he has undertaken to handover possession on or before 20.01.2017. Liberty is reserved to the petitioner / judgment-debtor to apply for early disposal of the Suit. If such application is made, the learned trial Judge will pass appropriate order.

9. List the Petition for 'reporting compliance' on 30.01.2017.

(R. G. KETKAR, J.)

Minal Parab