

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

CIVIL APPLICATION [W] NO.2071/2016

IN

WRIT PETITION NO.3702/2015 [D]

[Mohammad Ishaque s/o Mohammad Ibrahim .vs. Ali Asghar s/o Abdul Hussain]

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

Court's or Judge's orders

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 Shri N.H. Shams, Advocate for respondent,
 Shri M. Yejajul, Advocate h/f Shri S. Raisuddin, Advocate for petitioner.

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CORAM : A.S. CHANDURKAR, J.

DATED : OCTOBER 24, 2016.

This application has been moved by the respondent praying that the protection granted to the possession of the petitioner be withdrawn, as the petitioner has failed to file an undertaking, as per order dated 28.6.2016. It is submitted on behalf of the petitioner that due to illness of the petitioner, he is unable to file the undertaking.

Considering the fact that such undertaking was required to be filed within six weeks from 28.6.2016 and the same has not been filed till today, the protection granted to the possession of the petitioner stands vacated. It is open for the respondent to execute the decree in question.

Civil Application is disposed of.

JUDGE