

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**SECOND APPEAL NO. 829 OF 2016
WITH
CIVIL APPLICATION NO. 15612 OF 2016
IN
SECOND APPEAL NO. 829 OF 2016**

Vijay Arjun Borage,
Age: 40 years, Occu: Labour Work,
R/o Chal No. L-11, Block No. 12,
Tilaknagar, Tq. Shrirampur,
Dist. Ahmednagar ..APPELLANT

VERSUS

Tilaknagar Industries Ltd.,
Tilaknagar, Tq. Shrirampur,
Dist. Ahmednagar
on his behalf of Manager
(Personal and Administration)
And Principal Officer,
Shri Rustum Bengen Patel,
Age: 40 years, Occu: Service,
R/o Tilaknagar, Tq. Shrirampur,
Dist. Ahmednagar ..RESPONDENT

**WITH
SECOND APPEAL NO. 859 OF 2016
WITH
CIVIL APPLICATION NO. 15632 OF 2016
IN
SECOND APPEAL NO. 859 OF 2016**

Arun Tarachand Waghmare,
Age: 45 years, Occu: Labour Work,
R/o Chal No. L-6, Room No. 1,
Tilaknagar, Tq. Shrirampur,
Dist. Ahmednagar ..APPELLANT

VERSUS

(2)

Tilaknagar Industries Ltd.,
Tilaknagar, Tq. Shrirampur,
Dist. Ahmednagar
(Personal and Administration)
And Principal Officer,
Shri R. K. Nayare,
Age: Major, Occu: Service,
R/o Tilaknagar, Tq. Shrirampur,
Dist. Ahmednagar

..RESPONDENT

Mr S. B. Kadu, Advocate for appellants

CORAM : N.W. SAMBRE, J.

DATE : 15th JUNE, 2017

ORAL ORDER :

Not on board. Mentioned. Taken on board.

2. Present appeals were heard at length on 14th June, 2017 and since this Court was not inclined to entertain the second appeals, wherein decree for eviction was questioned by the tenant-licensee, an adjournment is sought so as to enable the appellants to make statement whether they are ready and willing to give undertaking to vacate the suit premises within stipulated period.

(3)

3. As such, the appellants in both the appeals have tendered undertaking that they shall vacate the suit premises within a period of six months from today. Such undertakings which are on affidavit are taken on record and are accepted.

4. In view of above, both the second appeals stand dismissed, with observation that the undertakings furnished by the appellants are accepted that they shall vacate the suit premises within a period of six months from today by tendering vacant possession of the same to the respondent-plaintiff.

5. Consequently, civil applications for stay stand dismissed.

(N.W. SAMBRE, J.)

Tupe