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

CIVIL REVISION APPLICATION NO.116 OF 2017

Rajkumar s/o Fatechand Hariyani,
Age: 57 years, Occ: Business,
R/o. Shivaji Nagar, Latur,
Taluka and District Latur. ..APPLICANT

VERSUS

1. Gopalkrishna s/o Madanlal Daga,
Age: 71 years, Occ: Business,
R/o. Cross Kapad Lane,
Latur, Taluka & Dist. Latur.
2. Sanjay s/o Gopalkrishna Daga,
Age: 41 years, Occ. and
R/o. As above. ..RESPONDENTS

Mr Amol Joshi, Advocate h/f Mr R.S. Deshmukh,
Advocate for applicant;
Mr R.P. Adgaonkar, Advocate for respondents

CORAM : N.W. SAMBRE, J.

DATE : 6th JULY, 2017

ORAL ORDER :

This Court has heard revision at length and was not in agreement to interfere with the findings recorded by both the Courts below.

2. Learned Counsel for the applicant-tenant has come out with affidavit in the form of undertaking that he shall vacate the suit property

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by 31st March, 2018.

3. Such prayer for retaining possession upto 31st March, 2018 is strenuously opposed by learned Counsel for the respondents-landlord on the ground that the applicant has acquired alternative accommodation and the respondents are litigating for the possession of the suit property since 2009.

4. In my opinion, having regard to the fact that the applicant is tenant since more than 20 years, it will be appropriate to accept undertaking of the applicant that he shall vacate the suit premises by 31st March, 2018. Till then he shall continue to remain in possession of the suit property and shall continue to pay rent as has been ordered by the Court below. Undertaking is accepted.

5. Civil Revision Application stands disposed in above terms.

(N.W. SAMBRE, J.)