

(1)

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

SECOND APPEAL NO.384 OF 2017

Hari s/o Waman Gaikwad,
Age 58 years, Occu. Nil,
R/o Chal No.LB-7, Room No.2,
Tilaknagar, Tq. Shrirampur,
District Ahmednagar

..APPELLANT
(Original Defendant)

VERSUS

Tilaknagar Industries Ltd.,
Tilaknagar, Tq. Shrirampur,
District Ahmednagar,
Through its Manager
(Personal and Administration)

..RESPONDENT
(Original Plaintiff)

Mr Darshan D. Pokharkar, Advocate for appellant

CORAM : N.W. SAMBRE, J.

DATE : 3rd August, 2017

ORAL ORDER :

Present second appeal was heard at length and since this Court was not inclined to entertain the appeal, wherein decree for eviction was questioned by the tenant-licensee, an adjournment is sought so as to enable the appellant to make statement whether he is ready and willing to give undertaking to vacate the suit premises within a stipulated period.

2. As such, the appellant has tendered undertaking that he shall vacate the suit premises within a period of six months from today. Such undertaking, which is on affidavit, is taken on record and accepted.

(2)

3. In view of above, the second appeal stands dismissed, with observation that the undertaking furnished by the appellant that he shall vacate the suit premises within a period of six months from today by tendering vacant possession of the same to the respondent-plaintiff, is accepted.

(N.W. SAMBRE, J.)

amj