

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 57 OF 2017

MRS. BANDANA CHAKRABORTY., ... Petitioner
Versus
RAMESH A. PARMEKAR AND ANR., ... Respondents

Adv. Hanumant D. Naik for the Petitioner.
Mr. T. Pereira, Advocate for Respondent no.1

Coram:- M. S. SONAK, J.

Date:- 13th April, 2017

P.C.:

Mr. H. D. Naik, the learned counsel for the petitioner seeks leave to delete respondent no.2 from the array of the parties. Leave granted. Necessary amendment to be carried out forthwith.

2. The learned counsel for the petitioner and respondent no.1 state that the dispute between themselves have been sorted out amicably. The learned counsel for the petitionoer submits that the petitioner, has agreed to vacate the suit premises on or before 31/8/2017 and the petitioner has also tendered an affidavit-cum-undertaking to the said effect. The undertaking is taken on record and marked "X" for the purpose of identification and is accepted as an undertaking to this Court.

3. Mr. Pereira, the learned counsel for the respondent no.1 on

basis of instructions from the respondent no.1 states that the respondent no.1 will not press for receiving any arrears of rents or any other amounts from the petitioner as long as the undertaking is complied with on or before 31/8/2017. Mr. Pereira makes it clear that in case the undertaking is not complied with, then respondent no.1 reserves the right to enforce the claim for arrears and other amounts which are awarded in his favour.

4. Mr. H. D. Naik, tenders an Affidavit-cum-undertaking of the petitioners. The affidavit is signed by the petitioners before the Notary Public and Mr. Naik has identified the signature of the petitioner.

5. In view of the aforesaid statement upon instructions from the petitioner, Mr. Naik seeks leave to withdraw this petition. The petition is accordingly permitted to be withdrawn.

M. S. SONAK, J.

ap/-