

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6336 OF 2017

Mr Brijendra Tiwari

... Petitioner

v/s

Mr Penumarti Sreenivas

... Respondent

WITH

WRIT PETITION NO.6337 OF 2017

Mr Brijendra Tiwari

... Petitioner

v/s

Mrs Penumarti Lakshmi

... Respondent

Mr Sanjay Kshirsagar for Petitioner.

Mr Uday P. Warunjikar for Respondent.

CORAM : B.P. COLABAWALLA, J.

DATE : JUNE 20, 2017

P.C.:

1. After these Writ Petitions were argued for some time, the learned counsel appearing on behalf of Petitioner states that he has instructions not to press the Petitions and withdraw the same but seeks indulgence that 15 days' time be granted to him to vacate the premises and hand them over to the Respondent. Mr Warunjikar,

learned counsel appearing on behalf of the Respondent does not oppose the withdrawal of the Petition but opposes for time being granted to the Petitioner for vacating the premises.

2. In view of the statement made on behalf of the Petitioner and considering that this was a School, I find that the request is reasonable. Petition is therefore allowed to be withdrawn. The Petitioner is directed to handover vacant and peaceful possession of the suit premises to the Respondent on or before 12th July 2017.

3. Mr Warunjikar undertakes that the Vakalatnama on behalf of his client in Writ Petition No.6336 of 2017 shall be filed by tomorrow. Undertaking is accepted.

4. This order is passed without prejudice to the rights and contentions of the Petitioner in the Revision Application that is pending before the Additional Commissioner, Pune Division, Pune. Needless to clarify that if the Petitioner succeeds in the Revision Application, possession of the suit premises shall be restored back to the Petitioner by the Respondent within a period of four weeks from

the date of the order passed by the Revisional Authority. Writ Petition stands disposed of in the aforesaid terms.

(B.P. COLABAWALLA, J.)