

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO. 985 OF 2014

WITH

CIVIL APPLICATION NO. 564 OF 2015

IN

CIVIL REVISION APPLICATION NO. 985 OF 2014

Union of India & Ors.

...Applicants

Versus

Shikshan Prasarak Mandal

...Respondent

Mr. Vinod Joshi, for the Applicants.

Mr. Ram Apte, Senior Advocate, a/w Mr. S.C. Wakankar, for the Respondent.

CORAM : N.M. JAMDAR, J.

DATE : 16 February 2017

ORAL ORDER :

The learned Counsel for the Applicant, Union of India had made a statement that if the reasonable time to vacate the suit premises is granted to the Applicants, the Applicants will not pursue the matter on merits. In view of this stand, the

Civil Revision Application has been adjourned from time to time, from October 2015.

2. The learned Senior Advocate for the Respondent states that the matter has been considered by the Respondent and tenders a written communication, that the Respondent has accepted the proposal of the Applicants to grant them two years time to vacate the suit premises starting from today. The Senior Advocate states that, even though the Applicants have already availed of substantial time from the date the request was first made, still out of indulgence, the Respondent is ready for a period for two years to vacate, starting today. He states that this will be on a condition that the Applicants will not seek any further extension. The learned Counsel for the Applicants on instructions of Mrs. Swati Dalvi, Inspector of Post, states that no further extension will be sought, whether the premises which are sought to be constructed by the Applicants, are ready or not. If the new premises are ready earlier than the Applicants, being the Union of India, would take a reasonable stand and handover the possession even if the extended period has not expired.

3. Since grant of time to vacate is the only contention advanced and the two years time was sought for, is being granted, no further orders are required except to direct the Applicants to file an undertaking of the responsible officer that the possession of the suit premises will be handed over by 15

February 2019 and no extension for this period will be sought. The Affidavit / undertaking to be filed within a period of four weeks from today. If the Affidavit is not filed within a period of four weeks, the decree will stand executable forthwith.

4. The Applicants will clear all the arrears within a period of four weeks and continue to pay the fixed compensation.

5. The Civil Revision Application is disposed of in above terms.

6. In view of disposal of the Civil Revision Application, the Civil Application stand disposed of.

[N.M. JAMDAR, J.]