

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 69 OF 2016
WITH
CIVIL APPLICATION NO. 1747 OF 2015

Virendra Jamnadas Karia ... Appellant

Versus

Jagdish Balaram Patil and others ... Respondents

Mr.P.M. Shah a/w. Meetal Savla and Amir Attari for the Appellant/Applicant.
Mr.A.G. Damle, Sr.Advocate i/b. Sanjay Shinde for the Respondent Nos.1 to 3.

CORAM : S.J. KATHAWALLA, J.
DATED : 3RD AUGUST, 2017

P.C.:

1. The Respondent Nos.1 to 3 undertakes that out of the ten rooms constructed on the 2nd Floor, he shall within 30 days handover five rooms to the Appellants. He further undertakes that the ownership of the said five rooms will be of the Appellants and the Respondents shall have no right, title and/or interest in the said five rooms.
2. The Appellant undertakes to pay an amount of Rs.2,50,000/- to the Respondents within a period of 30 days from the date of this Order.
3. The Respondents undertake to execute a power of attorney in favour of Appellant in respect of five rooms on the 2nd Floor, within 30 days from the date of this Order.

4. The undertakings are accepted.
5. The amount of Rs.4,00,000/- already deposited by the Appellant with the Respondents, shall be retained by the Respondents.
6. Except for what is recorded/directed hereinabove, the parties shall have no claim of whatsoever nature against each other in respect of the suit property.
6. The above Second Appeal as well as Civil Application are accordingly disposed off.

(S.J.KATHAWALLA,J.)