

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

WRIT PETITION NO. 8519 OF 2014

TRIMBAK NARAYAN JOSHI
VERSUS
SANJIV SHANKARRAO JOSHI

WITH
WRIT PETITION NO.8559 OF 2014

AVINASH TRIMBAK JOSHI, DECEASED, THROUGH HIS L.RS. ARCHANA
AVINASH JOSHI AND OTHERS.

-VERSUS-
SANJIV SHANKARRAO JOSHI.

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Advocate for the Petitioners : Shri Nagargoje Ankush N..
Advocate for the Respondent : Shri N.P.Ghanwat h/f Shri K.B.Autade.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 06th September, 2018

Per Court:

1 The learned Advocate for the Petitioners in both these matters submits that considering that the real brothers are involved in litigation, they have decided to resolve the issue. Consequentially, the Petitioners would vacate the suit premises and would peacefully handover the premises to the Respondent/ landlord within a period of four months. They would also clear outstanding dues, if any.

2 The learned Advocate for the Respondent submits, on

instructions from his client present in the Court, that the Petitioners/tenants may vacate the premises on or before 10.01.2019 and the said statement may be recorded as a statement made to the Court so that disobedience of the same, if any, could be dealt with under the Contempt of Courts Act, 1971.

3 The learned Advocate for the Petitioners submits, on instructions, that the Petitioners are agreeable to this proposition.

4 In view of the above, both these Writ Petitions are disposed of with the following directions :-

- (a) The statement made by the Petitioners is recorded as a statement made to the Court and disobedience of such a statement shall amount to violation of the directions of this Court thereby, amounting to contempt of the court.
- (b) The Petitioners shall vacate and handover the suit premises peacefully to the landlord on or before 10.01.2019 and shall not create any third party rights or encumbrances and shall not cause any damage to the property. Until then, the impugned warrant would be kept in abeyance.
- (c) All the dues, if any, shall be cleared by the Petitioners while handing over the possession.
- (d) No request for extension of time would be considered.
- (e) Needless to state, any violation of the above directions would

not only amount to contempt of this Court, but would revive the impugned warrant and the landlord would then be entitled to forcibly evict the tenants pursuant to the said warrant.

kps

(RAVINDRA V. GHUGE, J.)

Kalyan
Prakash
Sangvikar

Digitally signed by
Kalyan Prakash
Sangvikar
Date: 2018.09.10
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