

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

3. CIVIL REVISION APPLICATION No. 200 of 2018
WITH
CIVIL APPLICATION No. 13746 of 2018

Madhukar Shankar Jakhete and another ... Petitioners

Versus

Ashok Namdeo Sopnawane and another ... Respondents

Mr. V.B. Patil, Advocate for petitioners

Mr M/G. Patil, Advocate for respondent.

Coram : N.M. Jamdar, J.

Date : 17 December 2018.

ORAL ORDER:

1. On 28 November 2018 the following order was passed:

“1. The learned Counsel for the applicants states that he has taken instructions and the applicants are not desirous of prosecuting this application, if the reasonable time to vacate is granted. The learned counsel for the applicants states that one year and eight months time be granted.

2. The learned Counsel for the respondent opposes this request and states that the trial court granted only two months time.

3. Considering the fact that in the trial court

and appellate court, the applicant was contesting the matter and this application is not being pressed, in my opinion, one year time to vacate the suit premises would be reasonable. Undertakings be filed by both the applicants. To enable both these applicants to the said undertakings in the prescribed form/affidavit, hearing of this petition is deferred to 6 December 2018. To be listed under the caption "For Direction".

2. Thereafter on 6 December 2018 following order was passed.

"1. Learned counsel for the applicants reiterates that the applicants have decided not to contest this application and to file an undertaking as recorded in the order dated 28 November 2018. He seeks further time to file an undertaking.

2. At his request, stand over to 10 December 2018, under the caption 'for directions'. "

3. The learned Counsel for the applicants has tendered an undertaking on behalf of the applicants.

4. The learned Counsel for the respondent states that he has gone through the undertaking and the same is in order.

5. The undertaking signed on behalf of both the applicants is taken on record, marked 'X' for identification and is accepted. The applicants are stated to be present in the Court.

6. The learned Counsel for the applicants, on instructions, informs that the applicants alone are in possession of the suit premises. The applicants have undertaken to handover the possession of the suit premises to the respondent, by the end of 12 months from 17 December 2018, meaning thereby on 17 December 2019.

7. In view of the undertaking given, the Revision Application is disposed of, as above, and the time is granted to the applicants to vacate the suit premises till 17 December 2019.

N.M. Jamdar, J.