

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL REVISION APPLICATION NO.440 OF 2016
WITH
CIVIL APPLICATION NO.126 OF 2017**

Rajendraprasad Gangacharan Pardeshi & Anr.] Applicants

Vs.

Anuradha Anil Bhagwat and others.] Respondents

WITH

WRIT PETITION [ST] NO.17562 OF 2016

Anuradha Anil Bhagwat and others.] Applicants

Vs.

Rajendraprasad Gangacharan Pardeshi & Anr.] Respondents

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Mr. Umesh M. Rajput for Applicant in C.A. No.126 of 2017.

Ms. Shivani Samuel i/b Shruti Tulpule, for Respondents in C.R.A. No.440 of 2018 and Petitioner in W.P. [ST] No.17562 of 2016.

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CORAM : R.G. KETKAR, J.

DATE : 14TH AUGUST, 2018.

P.C.

Heard Mr. Rajput, learned Counsel for the applicant in C.A. No.126 of 2017 and Ms. Samuel, learned Counsel for respondents in C.R.A No.440 of 2017 and petitioner in W.P. [ST] No.17562 of 2016.

2. C.A. No.126 of 2017 is not on board. Taken on board.

3. Mr. Rajput submitted that by order dated 16th July, 2018, Civil Revision Application was dismissed and on the oral application made on behalf of the applicants, eviction decree was stayed for a period of 8 weeks subject to filing undertaking in terms of paragraph 11 of that order.

4. Mr. Rajput has tendered undertaking of Jitendra Gangacharan Pardeshi dated 13th August, 2018, which is taken on record and marked "A" for identification. The applicant has given undertaking that he will deliver vacant and peaceful possession of the suit premises to respondents on 16th August, 2018 in lieu of exemption from payment of arrears of rent till date. Undertaking given by Jitendra Gangacharan Pardeshi is accepted.

5. Ms. Samuel has tendered e-mail dated 13th August, 2018 addressed by the respondents to the effect that if the applicant delivers possession of the suit premises on 16th August, 2018, they are ready to waive monthly rent. The same is taken on record and marked 'B' for identification.

6. Mr. Rajput states that the applicants will deliver vacant and peaceful possession of the suit premises to the respondents on **latest Thursday, 16th August, 2018 by 11.00 a.m.**

7. In view thereof, list the application for reporting compliance on **16th August, 2018 at 3.00 p.m.**

[R.G. KETKAR, J.]