

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.153 OF 2018

(Dhanraj Laxman Ket Vs. Vivek Prabhakar Ayachit)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
--	----------------------------------

Mr. Prasad P. Kulkarni for Applicant.
Mr. Milind R. Deshpande for Respondent.

CORAM : R. G. KETKAR, J.

DATE : 13TH JULY, 2018

P.C.:

Heard Mr. Kulkarni, learned Counsel for the applicant and Mr. Deshpande, learned Counsel for the respondent.

2. By order dated 20.06.2018, Civil Revision Application filed by the applicant challenging the judgment and decree dated 23.09.2016 passed by the learned 10th Joint Civil Judge, Junior Division, Solapur in Regular Civil Suit No.862 of 2013 as also the judgment and decree dated 02.05.2017 passed by the learned Ad-hoc District Judge-3, Solapur in Regular Civil Appeal No.277 of 2016 was dismissed. On the oral application made by the applicant, eviction decree was stayed for a period of 8 weeks subject to the applicant and all adult family members residing in the suit premises furnishing undertaking in terms of paragraph 8 of that order within two weeks. The matter was kept for reporting compliance on 11.07.2018. Mr. Kulkarni, on instructions, states that applicant is not willing to furnish undertaking in terms of paragraph 8.

3. In view of paragraph 9 of the order, as the stay to eviction decree was granted subject to filing undertaking and as the undertaking is not filed, stay to eviction decree stands vacated forthwith. Respondent is at liberty to execute the decree in accordance with law. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab