

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6612 OF 2019**

Krishna Genu Chauhan & ors.	...Petitioners
Versus	
Changdev Namdev Chauhan & ors.	...Respondents

Mr. K. P. Shah, for the Petitioners.
Mr. Surel S. Shah, for Respondent nos.1 to 4.

**CORAM: N. J. JAMADAR, J.
DATED : 16th SEPTEMBER, 2019**

PC:-

1. Heard the learned Counsel for the parties.
2. This petition is filed assailing the order passed by the Executing Court in Regular Darkhast No.70 of 2014, whereby the Police Inspector, Akhuj, was directed to provide police aid to the plaintiff in execution of the decree passed in Regular Civil Suit No.95 of 1989.
3. During the pendency of this petition, the parties have arrived at an amicable settlement. In pursuance thereof the petitioners have filed separate Affidavits-cum-Undertakings dated 14th August, 2019. The Affidavits-cum-Undertakings are taken on record and marked as Articles 'A' to 'C' for

identification. Paragraph 2 of the said Affidavit-cum-Undertaking reads as under:

“2. I undertake to this Hon’ble Court that I shall handover peaceful and vacant possession of the suit property i.e. 0.27 Ares area in Gat No.416/1 to the Respondents on 15th November, 2019.”

4. The aforesaid undertaking is accepted as the undertaking to the Court.

5. Mr. Shah, the learned Counsel for the respondents, on instructions, states that respondents have no objection for disposal of the petition in terms of the aforesaid undertakings.

6. In view of the above, the petition stands disposed of, on the strength of the undertaking given by the petitioners to the effect that they shall handover peaceful and vacant possession of the suit property to the respondents on 15th November, 2019.

7. The ad-interim relief granted on 10th June, 2019, shall remain operative till 15th November, 2019.

[N. J. JAMADAR, J.]