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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7171 OF 2019

Mr. Vivek Dattatraya Velankar

...Petitioner

vs

Vidya Sahakari Bank

...Respondent

.....

Ms. Shivani Samel, i/b. Ms. Shruti Tulpule, for the Petitioner.

Mr. Abhijeet Pawar, i/b. Mr. Nitin Deshpande, for the Respondent.

.....

CORAM : S.C. GUPTA, J.

DATED: SEPTEMBER 4, 2019

P.C. :

. The writ petition was disposed of by an order dated 31 July 2019. By an order passed on that date, the petition was disposed of as not pressed. The Petitioner was directed to file an undertaking within two weeks that he would handover possession of the suit premises to the Respondent on or before 31 August 2019. Upon receipt of possession, the Respondent was directed not to create any third party right or part with possession and abide by the decision of the District Court, in case the order of the District Court was adverse to it. In case the Petitioner succeeds in the appeal, before taking decision of the suit premises from the Respondent, he was directed to pay Rs.1,20,000/- to the Respondent. By a further order passed of 16 August 2019, this Court noted that in pursuance of the orders, the Petitioner had filed an

undertaking on 6 August 2019 in keeping with the mandate of the order of 31 July 2019. The undertaking was accepted and kept on record and the petition was listed for noting further compliance on today's date with a view to ensure that the Petitioner handed over the possession of the premises on or before 31 August 2019. Today, when the matter was called out, learned Counsel for the Respondent states that the Petitioner has handed over possession of the premises to the Respondent. The compliance is, accordingly, noted and the writ petition removed from the board as disposed of.

(S.C. GUPTE, J.)

Smita
Gonsalves

Digitally signed by
Smita Gonsalves
Date: 2019.09.13
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