

Tandle

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 259 OF 2017

Shri Rehmatullaha K. Qureshi

... Applicant.

Versus

Smt. Amenabi Sk. Dawood Hissain (Deceased)
through LRS.

1a) Smt. Naseema Bashir Ahmed Shaikh and Ors.

... Respondents.

.....

Mr. Y. G. Thorat i/b P. D. Pise for the Applicant.

Mr. Y. R. Mishra for Respondents.

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CORAM : A. S. GADKARI, J.

DATE : 10th DECEMBER, 2019

P. C. :

1. After hearing the learned counsel for the applicant at length when this Court expressed its disinclination to entertain the present application, the learned counsel, on instructions, seeks leave to withdraw the present application unconditionally.

2. He further submitted that, the applicant will vacate and handover vacant and peaceful possession of the suit premises to the respondents within a period of six months from today. The said statement is accepted as an undertaking given to this Court.

3. In view thereof, the applicant is directed to file affidavit/undertaking in this Court within a period of three weeks from today incorporating following clauses :-

i) That, the applicant himself along with family members is residing in the suit premises and till date the applicant has not created any third party right, title or interest in it.

ii) The applicant shall mention all the names of family members residing with him.

iii) That nobody in the family of the applicant shall claim any equity or claim and any right or title through him in the suit property and will vacate the suit property without any protest or demur within the said stipulated period mentioned herein.

iv) All the adult members of the applicant's family shall also file their individual affidavits mentioning aforesaid clauses within the same stipulated period.

4. Application is dismissed as withdrawn in the aforesaid terms.

(A. S. GADKARI, J.)