

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL NO.719 OF 2018

Shri Yashwant Pandurang Salaskar ... Appellant

Vs

Shri Mukund Narayan Gije ... Respondent

...

Mr. B.G.Tangsali for the Applicant.

Mr. Sagar G. Talekar for the Respondent.

CORAM : SANDEEP K. SHINDE J.

DATE : APRIL 15, 2019

P.C. :

Not on board. Taken on Board.

By decree dated 13th November, 2009 in Regular Civil Suit No.36 of 2004, the appellant was directed to remove encroachment and hand over possession of the suit property to the plaintiff. The Appellate Court has confirmed this decree by judgment dated 15th February, 2017. It is against the decree passed in Appeal No.6 of 2011 by the District Judge-1, Mangaon, District: Raigad, the defendant has preferred this appeal.

2 The appellant, Mr. Yashwant Pandurang Salaskar, who is present in the Court, has filed an undertaking dated 15th April, 2019

stating that, he shall hand over vacant and peaceful possession of the suit land to the Respondent-plaintiff on or before 31st October, 2009. He undertakes to remove wooden fencing on or before 17th April, 2019 and he shall not create third party rights in the suit property. Undertaking is accepted and marked 'X-1' for Identification.

3 In view of this, appeal is disposed of.

(SANDEEP K. SHINDE, J.)