

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14114 OF 2018

Major Bhola Nath Tiwari (Retd.) ...Petitioner
vs.
Rakesh Kumar and Another ...Respondents

None for the Petitioner
Mr. S.K. Gunjkar I/b. Mr. Jaydeep Deo, for Respondent Nos. 1 & 2.

CORAM : M. S. SONAK, J.

DATE : APRIL 11, 2019

P.C.:

. This matter was called out in the morning session. However, neither the Petitioner nor his advocate were present. Therefore, the matter was posted at 3.00 pm. Even the name of the advocate for the Petitioner was flashed on the TV screen. However, when the matter is called out again the same position continues.

2. The Petition is already disposed of. The matter was posted before this Court, since the undertaking which the Petitioner was required to file, it appears, has not been filed.

3. The learned counsel for the Respondents point out that even the possession of the suit premises has not been given to the

Respondents. Accordingly, in terms of paragraph No. 2 of this Court's order dated 20th December, 2018, the Respondent No. 2 is free to take police assistance to secure the possession of the suit premises.

(M. S. SONAK, J.)