

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (W) NOS. 2215/2019 AND 2265/2019 IN
WRIT PETITION NO.4777/2014

Orbit Super Market Private Limited and others.

Vs.

Smt. Mukta Arvind Bobde and others.

Office notes Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri R.V.Shah, Advocate for petitioners./non applicants.

Shri Sunil Manohar, Senior Advocate along with Shri Masood Shareef,
Advocate for respondent nos. 1 and 2(a & b)/applicants.

CORAM : A.S.CHANDURKAR, J.

DATED : August 21, 2019

Perused the contents of both the applications. In Civil Application (W) No.2265/2019, the petitioners have furnished an undertaking that they would hand over vacant possession of the suit premises by 10.05.2020. It is further stated that till that date they would be paying occupation charges at Rs.7,75,000/- per month. The undertaking has been signed by all the petitioners as well as their learned counsel.

Pursis has been tendered on behalf of respondent no. 2-b by which no objection has been expressed for granting time to the petitioners to vacate suit premises subject to the petitioners complying with the terms of the aforesaid undertaking.

In view of above, the undertaking given by the petitioners in Civil Application (W) No.2265/2019 is accepted, subject to the petitioners complying with all the terms and conditions mentioned therein. They would be entitled to occupy the suit premises till 10.05.2020. The respondent no.2-b is permitted to withdraw the amount already deposited as mentioned in prayer clause (a) of the Civil Application No.2215/2019.

Similarly, he is also permitted to encash the Bank Guarantee in terms of prayer clause (b) of the said application.

Both the applications are disposed of accordingly.

JUDGE

Andurkar.