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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 352 OF 2019

Smt. Jayashree Janu Yadav

..Applicant

Vs

Shri Vishnu Babu Pawar (Deceased) & Ors

..Respondents

Mr. Sachin Masurkar a/w Mr. Nilesh Parab and Ms. Aarti Kulkarni for Applicant.
Mr. Abhishek A. Walwaikar for Respondent Nos.2, 3 to 8.

CORAM : A.S.GADKARI, J.

DATE : 10th January 2020.

PC.:

1] After hearing the learned counsel for the applicant at length, when this Court expressed its disinclination to grant any relief, the learned counsel on instructions from the applicant who is personally present in the Court seeks leave to withdraw the present Revision Application unconditionally.

He further on instructions submitted that, the applicant will hand over vacant and peaceful possession of the suit premises to the landlord/respondents on or before 30th April 2020. The said statement is accepted as an undertaking given to this Court.

2] In view thereof, the Applicant is directed to file an undertaking-cum-affidavit in the Registry of this Court within a period of two weeks from today incorporating the following:-

(i) That, the applicant herself along with family members is in the

possession of 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 her in the suit premises.

(iii) Till the applicant vacates the suit premises, in the interregnum, the applicant and/or her other family members shall not create any third party rights, title and interest in the suit premises and shall not claim any equity or claim in the suit premises and will vacate the same without any protest or demur within the said stipulated period.

(iv) All the adult family members residing along with the applicant shall also file their individual undertakings-cum-affidavits in this Court incorporating aforestated clauses.

3] It is made clear that, if the applicant and/or her family members fail to file the said undertakings/affidavits in the Registry of this Court within a period of two weeks from today, the respondents will be at liberty to execute the decree seeking necessary Orders from the Trial Court for the assistance of police in that behalf.

4] Revision Application is disposed off in the aforesaid terms.

(A.S.GADKARI, J.)