

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

**REVIEW PETITION NO. 15 OF 2019
IN
CIVIL REVISION APPLICATION NO. 671 OF 2019**

Shri Traders Bags House & Ors. ...Petitioners
vs.
Shri Macchindranath Shilarkhane ...Respondent

Mr.J.S. Kini with Suresh Dubey i/b. Sapna Krishnappa for Petitioners.
Mr.K. D. Bhosale for Respondent.

CORAM : S.C. GUPTE, J.

DATE : 15 JANUARY 2020

PC. :

Heard learned Counsel for the Review Petitioners and learned Counsel for the Respondent.

2 This review petition seeks review of an order passed by this court on 18 October 2019 rejecting the civil revision application filed by the Review Petitioners herein on the basis of concurrent findings of fact arrived at by two courts below. There is no case in the review petition that any new material or evidence, which was not available earlier or which could not be produced earlier when the order under review was passed, calls for a review. So also, there is no error apparent on the face of the record or any other reason for which the order deserves to be reviewed. The ground urged by the Review Petitioners that the courts below erred in appreciating the evidence before them, particularly concerning other suitable premises available to the Respondent landlord for doing his business, has already been considered by this court in the order under

review and rejected.

3 The review petition, accordingly, does not merit admission and is rejected.

4 At this stage, learned Counsel for the Review Petitioners seeks some reasonable time to vacate the suit premises. Learned Counsel, after taking instructions from his client, undertakes to vacate the suit premises at the end of this reasonable period.

5 In the facts of this case, this court is of the view that four months' time would be adequate for the Review Petitioners to vacate the suit premises. Learned Counsel for the Review Petitioners accepts this four months' time and reiterates his undertaking. Learned Counsel submits that a formal undertaking in usual form shall be submitted to the court within two weeks from today. The undertaking orally given is accepted. Subject to the Review Petitioners submitting a formal written undertaking in accordance with the usual form in the Registry within two weeks from today, the Review Petitioners are given four months' time to vacate the suit premises.

(S.C. GUPTE, J.)