

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**WRIT PETITION NO.8275/2019**

Smt. Tarabai Wd/o Gulabchand Agrawal

..V/s..

Smt. Lata W/o Sharad Agrawal and others

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri H.R. Gadhia, Advocate for the petitioner.  
Shri S.A. Bramhe, Advocate for respondent Nos.1 to 4.  
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**CORAM : RAVINDRA V. GHUGE, J.**

**DATED : 9.1.2020.**

1] This matter was heard extensively on 7.1.2020. Keeping in view that the Hon'ble Apex Court has crystallized the rights of the landlord and concluded that the tenants over the property shall stand evicted, I called upon the petitioner to make a statement as regards vacating the property. After much deliberations, the petitioner agreed that the property would be peacefully vacated and the possession would be handed over to the landlord on 31.1.2020.

2] I called upon the petitioner to submit an affidavit undertaking which would mention that her handicapped son residing with her will also leave the premises along with her and her able bodied son has already vacated the premises in view of the verdict of the Hon'ble Apex Court.

3] Today, the petitioner tenders an affidavit

dated 7.1.2020 which is taken on record and marked "X" for identification. This affidavit "X" shall be a part of this record.

4] Considering the above, the petitioner shall vacate the suit premises on 31.1.2020 at or before 3 p.m. Her physically challenged son Manish shall leave along with her. The other son Shiv has already left the suit premises and shall not in any way, make an attempt to enter the premises by whatsoever means. If the petitioner fails to abide by the undertaking, which is a statement made to this Court, the Executing Court would grant police protection to the landlord for seeking eviction of the petitioner and her son from the said premises.

5] In view of the above, this petition is **disposed off**. No costs.

(RAVINDRA V. GHUGE, J.)