

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

CIVIL REVISION APPLICATION NO.456 OF 2022

Shri. Henry Jujepaul Borjes

..Applicant

Versus

Shri. Jaysingh Mohanrao Shinde

..Respondent

Mr. Abbhay Thorat a/w Tanaji Jadhav, for the Applicant.

Mr. Amit Karle a/w Ankit Jadhav, for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 14th OCTOBER, 2022

PC.

1. After having heard respective counsels at length, this Court since is not inclined to show indulgence on the merits of the matter, counsel for the applicant Mr. Abbhay Thorat on instructions from the applicant/tenant who is present in the Court states that he be granted time of one year to vacate the premises and surrender physical possession. The aforesaid statement made by counsel for the applicant is on instructions from the applicant who is personally present in the Court.

2. As such, said statement is accepted as an undertaking to this Court.

3. The Civil Revision Application as such stands disposed of with following order :-

- a) The applicant shall surrender physical possession of the suit premises to the non-applicant/landlord, in any case, by 31st October, 2023. Till then, he shall continue to pay the agreed rent as has been directed by the Court below before 5th of each English calendar month. The arrears, if any, be cleared within period of one month from today.
- b) The applicant shall furnish an undertaking before the Executing Court that not only he shall surrender physical possession by 31st October, 2023 but also till then he shall continue to pay rent as has been directed and shall also clear the arrears as directed hereinabove. He shall also mention before the Executing Court that he shall maintain the suit premises in good condition and shall not create any third party interest in the same.

[NITIN W. SAMBRE, J.]