

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 113 OF 2020**

Nagnath Maruti Mane

.....Applicant

Vs.

Shri Gadage Maharaj Maratha & Ors.

.....Respondents

Mr. Ashok Tajane for the Applicant.

Mr. P.M. Jadhav for the Respondent Nos.1 to 3.

CORAM : A. S. GADKARI, J.

DATE : 13th APRIL, 2022.

PC.:-

After hearing the learned Advocate appearing for the Applicant at length, when this Court was not inclined to interfere with the impugned Judgment and Orders passed by both the Courts below, the learned Advocate on instructions, seeks leave to withdraw the present Revision Application.

Leave granted.

2 Mr. Tajane, learned Advocate for the Applicant, on instructions submitted that, the Applicant will vacate the Suit premises and deliver vacant and peaceful possession of it to the Respondents within a period of three months from today. He on instructions submitted that, till date, except the Applicant, his wife and their children, nobody else has been put in possession of the suit premises. He further submitted that, the Applicant will file usual undertaking before this Court within a period of three weeks from today. He submitted that, the Applicant will also file an Affidavit of

his close family members, who are occupying the suit premises along with the Applicant within the same stipulated period. The said statements are accepted.

In view of the above noted statements made by Applicant, the Applicant is permitted to occupy the suit premises for a period of three months from today.

3 Applicant is further directed to file his undertaking within a period of three weeks from today incorporating therein that, he along with his family members are occupying the suit premises and he has not created any third party right, title and interest in it. Applicant is also directed to file undertaking of all the adult family members who are residing with him in the Suit premises incorporating the specific clause that, the said family members will not obstruct the delivery of vacant and peaceful possession of the property in favour of the Respondents within the stipulated period as noted above and they will not further file any litigation against the landlord arising out of the impugned Judgment and Orders.

4 Applicant is directed to clear entire arrears of rent in respect of the suit premises upto 30th April, 2022 within a period of three weeks from today. The said arrears be paid directly to the Respondents.

Application is dismissed as withdrawn, in the aforesaid terms.

(A.S. GADKARI, J.)