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

CIVIL REVISION APPLICATION NO.114 OF 2023

Rakabaram Kaniram Dangi

Since Deceased through Legal Heirs

1. Smt. Bharat Rakabaram Dangi and Ors. ...Applicants

Versus

Gupta Construction Company

A Partnership Firm,

Through its Partners

Shri. Anil Surajmal Gupta ...Respondent

- Mr. Surel S. Shah i/b. S.M. Karade for the Applicants.
- Mr. Hemant Ghadigaonkar a/w Mr. Hitendra Gandhi for Respondent.

CORAM : MADHAV J. JAMDAR, J.

DATE : 6th APRIL 2023

P.C. :

1. Mr. Surel Shah, learned counsel appearing for the Applicants, after arguing the matter for some time and when the Court is not inclined to admit the Civil Revision Application, requested for withdrawal of the Civil Revision Application with a request to grant eight months time to vacate the suit premises.

2. Accordingly, Civil Revision Application is allowed to be withdrawn and dismissed as such. However, the Respondent shall not

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execute the eviction decree for a period of eight months i.e. till 15th December 2023 on the condition that all Applicants shall file usual undertaking in this Court within a period of three weeks from today including undertaking to vacate the suit premises on or before 15th December 2023.

3. Copy of said undertaking to be served on the learned Advocate appearing for the Respondent. Oral undertaking given by the learned counsel of the Applicants on behalf of the Applicants to vacate the suit premises by 15th December 2023 is accepted.

4. It is specifically made clear that if written undertaking is not filed within three weeks then the Respondent is at liberty to execute the eviction decree.

5. Civil Revision Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]