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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.17614 OF 2023
IN
CIVIL REVISION APPLICATION NO. 649 OF 2019

Reuben Danny Dias

...Applicant

In the matter between

Smt. Philomena Anthony Dsouza

(Since Deceased) Thr.

Mr. Joseph Stephen Dsouza

...Applicant

Versus

Reuben Danny Dias & Anr.

...Respondents

Ms. Eventa A. Gonsalves a/w Mr. Reyden L. Gonsalves for the
Applicant.

Ms. Poushali Roychaudhary a/w Ms. Niyanta Trivedi i/b Mr.
Hoshang S. Tafti for the Respondent.

CORAM : SHARMILA U. DESHMUKH, J.
DATE : DECEMBER 6, 2023

P. C. :

1. The Interim Application has been preferred in disposed of Civil Revision Application for the reason that the undertaking directed to be given by the order of this Court dated 18th October, 2023 did not contain the usual undertaking to vacate the suit premises within a period of one year from the date of passing of order.

2. Learned counsel for the Respondent submits that in the course of the day, a fresh undertaking incorporating the undertaking that the suit premises will be vacated within a period of one year from the date of the order dated 18th October, 2023 will be filed in the Registry. The statement is accepted as an undertaking to this Court.

3. A copy of the undertaking is tendered for perusal of this Court and the objection of the learned counsel for the Applicant is that the period of one year has not been specified. Needless to clarify that as the order has been passed on 18th October, 2023, the Applicant in the Civil Revision Application is required to vacate and hand over the peaceful possession of the premises on or before 17th October, 2024.

4. Interim Application is disposed of.

(SHARMILA U. DESHMUKH, J.)