

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL REVISION APPLICATION NO. 13 OF 2021****ALONGWITH****INTERIM APPLICATION NO. 179 OF 2021****IN****CIVIL REVISION APPLICATION NO. 13 OF 2021****Dr. Laxmikanta @****Vijayalaxmi Subhash Poreddi****..... Applicant****VERSUS****Satyanarayan Rajmalu Samal & Anr.****..... Respondents**

Mr.Ishaan Kapse i/b. Mr.Surel Shah for the Applicant.

Mr.Saurabh Raut i/b. Mr.Anand Kulkarni for the Respondents.

CORAM: RAJESH S. PATIL, J.**DATE : 9 JANUARY, 2024****P.C. :-**

The present Civil Revision Application challenges the impugned judgment and order dated 21 December, 2019 passed by the District Judge, Solapur, in Regular Civil Appeal No. 9 of 2016.

2. The respondents filed a suit for eviction on the ground of default and *bona fide* requirement. The said civil suit of the respondents was dismissed. However, an appeal preferred by the

respondents was partly allowed and the petitioner was directed to vacate the suit premises. The present Civil Revision Application challenges the eviction decree passed by the Appellate Court.

3. Mr. Kapse, learned counsel holding for advocate Mr.Shah for the applicant has tendered an undertaking dated 3 January, 2024 of the applicant. The said undertaking is taken on record and marked 'X' for identification.

4. Mr.Kapse, learned counsel submits that the undertaking is signed by the applicant. The undertaking records that the applicant is a person who is in possession of the suit premises as of today. The undertaking also further mentions that the applicant will vacate the suit premises on or before 29 February,2024. It also records that the applicant would not create any third party rights in the suit premises. And the applicant will clear all the outstanding amount including the electricity charges before 29 February, 2024. It also records that

the applicant would regularly pay rent to the original landlord on or before 10th day of every month till the applicant vacates the suit premises.

5. The undertaking is taken on record and all the submissions made in the undertaking are accepted as an undertaking given to this Court.

6. Learned counsel for the applicant seeks liberty to withdraw this Civil Revision Application, on instructions from his client.

7. Civil Revision Application is disposed of as withdrawn.

8. Interim applications pending, if any, are also disposed of.

9. The parties to act on the authenticated copy of this order.

[RAJESH S. PATIL, J.]