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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10271 OF 2022

Carlos Colimano	...Petitioner
V/s.	
Ushakiran A. Rana	...Respondent

Mr.Prasad L. Gajbhiye for the Petitioner.

Ms.Prabha Badadare for the Respondent.

CORAM : RAJESH S. PATIL, J.
DATE : 26TH FEBRUARY, 2024.

P.C. :-

1. This Writ Petition challenges the concurrent findings recorded in the eviction decree passed under the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968, on the ground of '*bona-fide* requirement' and 'non-user'.

2. After the matter was argued for some time, advocate for the Applicant on instructions of the Applicant, who is present in Court, seeks leave to withdraw this Writ Petition, if some reasonable time is granted to vacate the suit premises.

3. The Writ Petition is disposed of. The impugned decree passed by the Trial Court on 20 February 2015 and as confirmed by the Appellate Court decree on 12 April 2022 is hereby confirmed on the following terms :-

(i). The Applicant is allowed to occupy the suit premises till 31 May 2024.

(ii). The Applicant and all adult members of his family, including his daughter and son-in-law will file usual undertaking within a period of two weeks from today. The said undertaking will specifically state that, they are the only persons, who are occupying the suit premises and they will not create any third party interest in the suit premises. The Applicant's daughter, who according to the Applicant is residing in United Kingdom is permitted to file a soft copy of her undertaking within a period of two weeks from today and a hard copy of the said undertaking will be filed in the Registry of this Court as soon as possible.

4. The Writ Petition is accordingly disposed of.

(RAJESH S. PATIL, J.)