

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.556 OF 2024
WITH
INTERIM APPLICATION (ST) NO.16433 OF 2024

Ranjana Vinayak Khatri @ Khetri
since deceased through legal heirs
Vinayak Shivram Khetri & Ors.

...Applicants

Versus

Subhash Kisan Gawali @ Dongre

...Respondent

Mr. Ramakant Paranjape, for the Applicants.

CORAM: MADHAV J. JAMDAR, J.

DATED : 11th SEPTEMBER 2025

PC:-

1. This matter was completely argued on 10th September 2025 and as no ground was raised on merits which will warrant admission of Civil Revision Application, Mr. Paranjape, learned Counsel appearing for the Applicants sought time to take instructions and accordingly, the matter was adjourned. Mr. Paranjape, learned Counsel of the Applicants, on the instructions of the Applicants, states that the Applicants have given instructions to withdraw the Civil Revision Application, however, learned Counsel submits that as the premises are residential premises, the

Applicants are seeking one year's time to vacate the suit premises. The Applicant No.1/3-Amol Vinayak Khetri is personally present in Court. He states that the Applicant No.1/1 i.e. father of the Applicant No.1/3, the Applicant No.1/2 i.e. brother of the Applicant No.1/3, the Applicant No.1/4 i.e. sister of the Applicant No.1/3 have given instructions to withdraw the Civil Revision Application.

2. Mr. Paranjape, learned Counsel appearing for the Applicants, on the instructions of the Applicants states that the Applicants will vacate the suit premises on or before 30th September 2026 and that the Applicants will deposit before the learned Trial Court, rent/compensation at the rate of Rs.500/- per month (in addition to the rent which has been deposited before the learned Trial Court) w.e.f. 1st September 2025 till 30th September 2026. He states that such rent/compensation will be deposited on or before 10th day of each succeeding month and first such payment will be deposited on or before 10th October 2025.

3. In view of the above submissions, the following order is passed:

ORDER

- (a) The Civil Revision Application is allowed to be withdrawn and dismissed as such.
- (b) The Applicants are granted time to vacate the suit premises till 30th September 2026 on the conditions that all the Applicants shall file undertakings in this Court within a period of two weeks from today undertaking as follows:
 - (i) Only the Applicants are occupying the suit premises and no other person is occupying the suit premises.
 - (ii) The Applicants will vacate the suit premises on or before 30th September 2026.
 - (iii) The Applicants will deposit in the learned Trial Court an amount of Rs.500/- per month in addition to the rent which has already been deposited before the learned Trial Court. The said payment of Rs.500/- per month will be deposited before the

learned Trial Court on or before 10th day of each succeeding month and first such payment will be made on or before 10th October 2025.

- (c) All the above statements made by the learned Counsel appearing for the Applicants, on the instructions of the Applicants, are accepted as undertakings given to this Court.
- (d) If in the event, the Applicants fail to vacate the suit premises on or before 30th September 2026, then the Court Receiver, High Court, Bombay shall stand appointed with respect to the suit premises immediately.
- (e) The Court Receiver, High Court, Bombay shall take immediate forcible physical possession from the Applicants or any other person found occupying the suit premises. For that purpose, the Court Receiver, High Court, Bombay is permitted to take assistance of the police personnel.

(f) It is further made clear that if the Applicants fail to vacate the suit premises on or before 30th September 2026, then apart from the above order directing the appointment of the Court Receiver, High Court, Bombay to take forcible physical possession of the suit premises from the Applicants, the Applicants will be liable for action for committing Contempt of Court.

4. Accordingly, the Civil Revision Application is dismissed, subject to above.

5. As the Civil Revision Application is dismissed, nothing survives in the Interim Application and the same is also dismissed.

[MADHAV J. JAMDAR, J.]

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