

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2589 OF 2025

Harsh Bubna & Anr.

... Petitioners

V/s.

Suryaprakash Bubna & Ors.

... Respondents

Mr. Adithya R. Iyer for the petitioners.

ATUL
GANESH
KULKARNI

Digitally signed by
ATUL GANESH
KULKARNI
Date: 2025.03.26
14:42:57 +0530

CORAM : AMIT BORKAR, J.

DATED : MARCH 26, 2025

P.C.:

1. Not on board. Upon mentioning, taken on board.
2. After the judgment was pronounced yesterday, learned Advocate for the petitioners seeks time to vacate the premises and shown willingness to file undertaking to that effect.
3. Today, learned Advocate for the petitioners filed an undertaking that the petitioner No.1 will vacate the premises in compliance with this Hon'ble Court's judgment within a period of two weeks. He orally requested for some more time to vacate the premises. The undertaking dated 26 March 2025 is taken on record and marked 'X' for identification.
4. Accordingly, paragraph 34 of the Judgment dated 25 March 2025 be modified as under:

“34. Insofar as petitioner No.1 is concerned, it is not disputed that he has no right, title or interest in the property, nor does he claim any protection under the PWDV Act. His continued occupation has been found to be a source of mental agony and harassment to respondent No.1. The order of eviction against petitioner No.1, therefore, stands confirmed. However, petitioner No.1 in compliance of this Judgment undertakes to vacate the premises within three weeks from today. The undertaking is taken on record. The undertaking is accepted as an undertaking to the Court. Accordingly, petitioner No.1 is granted three weeks time to vacate the premises.”

5. Paragraph 34 of the original Judgment dated 25 March 2025 be modified accordingly and upload the same as Judgment No.2 in this matter.

(AMIT BORKAR, J.)