

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.623 OF 2025

ARJUN
VITTHAL
KUDHEKAR

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Date: 2025.12.23
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Vadnagre Agencies,
A partnership firm through its partner
Chandrashekhar Kashinath Pawar ...Applicant

Versus

Rajebahadur Pannalal Manufacturing
Company Pvt. Ltd. through its Chairman
Sangita Ashok Bhardia through POA holder
Magraj Gulabchand Golechha ...Respondent

WITH
INTERIM APPLICATION NO.38692 OF 2025
IN
CIVIL REVISION APPLICATION NO.623 OF 2025

Vadnagre Agencies,
A partnership firm through its partner
Chandrashekhar Kashinath Pawar ...Applicant

IN THE MATTER OF:

Vadnagre Agencies,
A partnership firm through its partner
Chandrashekhar Kashinath Pawar ...Applicant

Versus

Rajebahadur Pannalal Manufacturing
Company Pvt. Ltd. through its Chairman
Sangita Ashok Bhardia through POA holder
Magraj Gulabchand Golechha ...Respondent

Mr. Surel Shah, Senior Advocate a/w Sriraj Menon, Avesh Ganja i/b
Satyaki Law Associates & Rishab Murali, for the Applicant.

Mr. Shashikant Surane, for Respondent No.1.

CORAM: MADHAV J. JAMDAR, J.
DATED: 23 DECEMBER 2025

P.C.:

1. The challenge in this Civil Revision Application is to the Order dated 15th December 2025 passed by the learned Joint Civil Judge, Junior Division, Malegaon, below Exhibit-45 in Regular Darkhast No.46 of 2018 (“**impugned Order**”).

2. After arguing the matter for some time, Mr. Surel Shah, learned Senior Counsel appearing for the Applicant, in the facts and circumstances of the case, on instructions of Mr. Chandrashekhar Kashinath Pawar, Partner and Authorized Representative of the Applicant - Vadnagre Agencies, A Partnership Firm, seeks withdrawal of the Civil Revision Application. He tenders Affidavit-Cum-Undertaking on behalf of the Applicant dated 23rd December 2025. The said undertaking reads as under :-

“AFFIDAVIT CUM UNDERTAKING ON BEHALF OF THE APPLICANT”

I, Chandrashekhar Kashinath Pawar, Partner and Authorised Representative of the Applicant Firm abovenamed, do hereby state on solemn affirmation as under:

- 1. I am filing the present Affidavit as a Partner of the Applicant Firm and I am entitled to depose to the present Affidavit.*
- 2. At the outset, I tender my unconditional apology to this Hon’ble Court for filing the proceedings under Section 47 of the Code of Civil Procedure 1908, seeking to declare the Decree for Eviction passed against the Petitioner Firm*

as a nullity, which Decree was confirmed upto the Hon'ble Apex Court.

3. *I also tender my unconditional apology for creating third party rights pending the Proceedings.*
4. *I undertake to purge the said mistake by depositing a sum of Rs.50,000/-towards costs with the Kirtikar Law Library, High Court, Bombay.*
5. *I also undertake to this Hon'ble Court to handover possession of the Suit Premises to the Respondent forthwith.*
6. *In these circumstances, I hereby unconditionally withdraw the present Civil Revision Application.*
7. *All that is stated above is true and correct on the basis of my knowledge, belief and understanding and in the presence of witness I have set my hand to this Affidavit on this 23rd day of December, 2025."*

3. Accordingly, the Civil Revision Application is allowed to be withdrawn and dismissed as such, subject to above undertaking given to this Court.

4. As the Civil Revision Application is dismissed as withdrawn, nothing survives in the Interim Application and the same is also disposed of.

5. Stand over to **24th December 2025** to report compliance of this Order.

[MADHAV J. JAMDAR, J.]