

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3760 OF 2025
IN
SECOND APPEAL NO. 225 OF 2025

Dattatray Kisan Bhagat

.....Applicant

Vs.

Pandurang Kisan Bhagat

.....Respondent

Mr. Sagar S. Bhirange for appellant

Mr. Ashwinikumar Deore with Ms. Ankita Badgeri for respondent

CORAM : GAURI GODSE, J.

DATE : 17th MARCH 2025

ORDER:

1. Learned counsel for the appellant on instructions seeks time to file an affidavit stating that the appellant would vacate the suit premises within three months from today.

2. Appellant is granted time to tender affidavit-cum-undertaking stating that he would vacate the premises and hand over the possession to the plaintiff within three months. The affidavit shall also state as who is occupying the suit premises and the affidavit of the

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2025.03.19
10:03:58
+0530

concerned person who is occupying the said premises shall be filed. The affidavit shall also state that the appellant and the concerned person occupying the said premises shall not create any third party rights or part with possession in favour of any third party.

3. Learned counsel for the appellant submits that possession warrant is already issued.

4. In view of the aforesaid statement made on behalf of the appellant, possession warrant, if issued, shall not be executed till the next date.

5. List the appeal on 25th March 2025.

6. To be listed under the caption 'For Directions'.

[GAURI GODSE, J.]