

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 1461 OF 2024

Shri Sanjay Manoharrao Wankhede

Vs.

Shri Chandrashekhar Gulabrao Nasre

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.S. Ghate, Advocate for petitioner

Shri U.A. Gosavi, Advocate for respondent

CORAM : SMT M.S. JAWALKAR, J.

DATE : 28.02.2025

Learned Counsel for both the parties filed a joint pursis, which is taken on record. Undertaking in the pursis is taken as undertaking to the Court. Office is directed to register the same.

2. The petitioner by way of this pursis undertakes to vacate the tenanted premises and to hand over the vacant possession to the respondent herein on or before 30/08/2025. It is also assured that there is some infrastructure development work going on in the locality, wherein, he has constructed his own house. If that construction is completed before 30/08/2025, he will vacate the premises even earlier to that date. It is also agreed between the parties that if petitioner handover the vacant possession of the tenanted premises on or before 30/08/2025, the respondent herein

undertakes to give up the claim for mesne profit and any other claim arising out of the judgment and decree impugned in the present petition. Failure to vacate premises, respondent herein is at liberty to execute the decree delivered in Regular Civil Suit No. 159/2013.

3. The petitioner is present in person and also sons of respondent are also present in the Court. Both of them agreed to the contents in the pursis.

4. From the pursis it also appears that in view of the order dated 24/09/2018 below Exhibit 5 in Regular Civil Appeal No. 206/2018, the petitioner has deposited an amount of Rs.1,500/- per month. It now be accumulated to the tune of Rs.1,96,500/-, this amount is the occupation charges. As such, respondent is permitted to withdraw that amount along with interest accrued, if any.

5. The petitioner undertakes to continue to deposit 1,500/- per month from the passing of this order till vacation of the premises.

6. Petition stands disposed of in terms of compromise pursis and the order passed above.

(SMT M.S. JAWALKAR, J.)