



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

SECOND APPEAL NO.130/2026

APPELLANT : Shantilal S/o Kavarilal @ Kanwarlal Gandhi
Aged about 72 years, R/o Main Road,
Samudrapur, Tah. Samudrapur, Dist. Wardha.

...VERSUS...

RESPONDENT: Mrs. Neeta W/o Nandkishor Gangshettiwar,
Aged about 55 years, Occupation : Housewife,
R/o Samudrapur, Tah. Samudrapur, Dist. Wardha.

Mr. Amol Hunge, Advocate for appellant
Mr. R.R. Maddalwar, Advocate for respondent

CORAM : ROHIT W. JOSHI, J.
DATE : 01/04/2026

ORDER :

1. Learned Advocate for the appellant after arguing the appeal for some time, makes a motion, on instructions from the appellant to withdraw Second appeal. He further prays for grant of reasonable time to vacate the suit property and handover peaceful vacant possession thereof to the respondent.

2. The appellant is a man of 72 years age. He is earning his living from the suit property. In view of the aforesaid, time for vacating and handing over the peaceful possession of the suit property is granted up to 30/09/2026.

3. The appellant is directed to file an undertaking on affidavit to vacate the suit property and handover peaceful vacant possession thereof to the respondent on or before 30/09/2026. Such undertaking on affidavit be filed on or before 20/04/2026.

4. In the event, such affidavit is not filed before 20/04/2026, the present order shall stand vacated and the decree for possession will become enforceable and executable from 21/04/2026 without further reference to the Court.

5. Second Appeal is disposed of as withdrawn.

(ROHIT W. JOSHI, J.)