



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

CIVIL APPLICATION (CAS) NO.28 OF 2026 IN
SECOND APPEAL ST. NO.15261 OF 2025

Smt. Venubai Wd/o Shriram Mahalle (dead) through LRs. .Vs. Shri Durgashankar S/o
Ghanshyam Agrawal and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. K.B. Zinjarde, Advocate for appellants.
Mr. S.S. Sarda, Advocate for respondents.

CORAM : ROHIT W. JOSHI, J.
DATE : 26/02/2026

1. For the reasons mentioned in the application, leave to file appeal is granted and delay caused in filing the appeal is condoned.

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2. In fairness, the learned Advocate for the appellant states that respondent/landlord had filed suit for eviction against three different tenants and that controversy involved in all the three civil suits is identical. He further states that with respect to another tenant, the concurrent judgments and decrees for eviction have been confirmed by this Court vide judgment and decree dated 09.01.2026 delivered in Second Appeal No.310 of 2025. The learned Advocate further states that there is no other point to canvass in the present Second Appeal. In view of the statement made, Second Appeal stands **dismissed** with no order as to costs.

3. At this stage, Mr. Zinjarde, learned Advocate for the appellant, states that some reasonable time may be given to the appellant/tenant to vacate the suit property. Although the request is opposed, in the considered opinion of this Court, it will be appropriate to grant reasonable time to vacate the property. In the aforesaid appeal, period of around six months was granted to the appellant/tenant to vacate the suit property. In view of the aforesaid, it is directed that, the appellant/tenant shall vacate the suit property and handover peaceful vacant possession thereof to the respondent/landlord on or before **30.09.2026**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate