

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 812 OF 2014

IN

WRIT PETITION NO. 482 OF 2012

MR. MAHABALESHWAR LAXMAN
MADKAIKAR.,

... Applicant

Versus

MR. PANDURANG GHANASHAYAM KAWADE
(SINCE DEC.) THROUGH LR'S

... Respondent

Mr. S. R. Rivankar, Advocate for the Applicant.
Mr. A. D. Bhobe, Advocate for the Respondents.

Coram:- N. M. JAMDAR, J.

Date:- 27th February, 2015

P.C.:

By this application, the applicant prays that further proceedings in the petition be stopped and the respondent-original petitioner be directed to hand over possession of the premises.

2. The applicant-original respondent is the landlord of the premises. The writ petition filed by the respondent herein challenges the order passed by the Administrative Tribunal, which is pending. The applicant has filed this application on the ground that the respondent herein has not regularly paid the rent of Rs.300/- per month.

3. The learned counsel for the respondent-original petitioner tenders an affidavit- in- reply along with a photocopy of the Demand Draft of Rs.11,590/-, which according to the respondent-original petitioner is the amount of rent due till date.

4. This covers the amount of rent till date but not the cost of the application and harassment to the applicant. Therefore a deterrent needs to be imposed. Accordingly, the respondent-original petitioner shall pay an additional amount of Rs.3000/- to the applicant within a week from today.

5. The learned counsel for the applicant states that he will furnish the number of the bank account to the respondent and the learned counsel for the respondent states that the amount of rent will be transferred to the bank account of the applicant by way of electronic money transfer.

6. In view of this position, no further orders are required to be passed in this application. The application is disposed off. However, it is made clear that in case of any 2 defaults, the applicant will be entitled to revive his application and this Court will be entitled to take note of the conduct of the respondent as an aggravated form of breach.

N. M. JAMDAR, J.

ap/-