

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1326 OF 2014

IN

FIRST APPEAL NO.423 OF 2003

Harishchandra V. Haldankar and Others ...Applicants

In the matter between

Nirmala R. Pandey and Others ...Appellants

vs.

Kanaiyalal P. Shah and Others ...Respondents

CORAM : K.K. TATED, J.

4TH MARCH 2015

P.C. :-

. Heard learned counsel for parties. The Court Receiver is also present in the matter.

2] This application is for directing the Court Receiver to accept the royalty from the Applicants till the hearing and final disposal of First Appeal. The learned counsel for the Applicants seeks liberty to delete the name of applicant No. 7 Tukaram Surve from the cause title of the Civil Application. Same is allowed. Amendment to be carried out during the course of the day.

3] Court Receiver is directed to inform the advocate for the Applicants how much amount is due and payable by them in respect of suit premises towards royalty and how much they have to pay per month. The same be informed within two weeks from today.

4] The Applicants to pay the arrears of royalty within three weeks thereafter and continue to pay the royalty every month.

5] It is made clear that if the Applicants fail to pay the royalty within the above-mentioned stipulated period, the Court Receiver is entitled to take possession of the suit premises by following due process.

6] The Court Receiver to handover a copy of the report about the arrears of the amount to the advocate for the Respondents.

7] With these directions, Civil Application stands disposed of.

(K.K.TATED J.)