

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 426 OF 2015
IN
CIVIL REVISION APPLICATION NO. 865 OF 2013
Riyaz U. Agwan & anr.
vs.
Rajesh M. Savla & ors.

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. S.R. Page and Mr. K.H. Kanojia for the Applicants.
Mr. Mukesh Chheda i/b Ms Reena Salunkhe for Respondent
No.1.

CORAM : M. S. SONAK, J.
DATE : 02 SEPTEMBER 2015.

P.C. :-

1] This Civil Application is disposed of with the
following agreed order:

a] The Registrar of the Small Causes Court,
Mumbai or any other suitable Officer to be
nominated by the Chief Judge, Small Causes
Court, is appointed as Court Receiver in respect
of Suit Premises, i.e., Room Nos.12A & 13
situated on 1st Floor, Mavji Mansion, 15, Bala
Miya Lane, Mahim, Mumbai-400 016. The Court
Receiver so appointed to take symbolic
possession of the suit premises forthwith;

b] The applicants are permitted to continue to occupy the suit premises upto 31 March 2016, notwithstanding the decrees of eviction which have been confirmed by this Court;

c] The aforesaid concession is granted by the respondent No.1 on the basis of the statement of the applicants that they do not desire to challenge the order dated 23 June 2015 made in Civil Revision Application No. 865 of 2013 before the Hon'ble Apex Court and further, they shall vacate the suit premises and hand over the peaceful and vacant possession thereof to the respondent No.1 on or before 31 March 2015;

d] For the period between 1 September 2015 and 31 March 2016, the applicants shall pay compensation at the rate of Rs.1500/- per month to respondent No.1. The respondent No.1 shall accept this compensation without prejudice;

e] The applicants shall file usual Undertaking this Court, within a period of two weeks from today. The Undertaking to categorically state that the possession of the suit premises will be handed over to respondent No.1 on or before 31 March 2016;

f] If, the possession of the suit premises is not

handed over to respondent No.1 on or before 31 March 2016, the Court Receiver is authorised to take possession of the suit premises, if necessary, with the assistance of police and deliver the same to respondent No.1;

g] The applicants undertake to bear all the charges with regard to the appointment of Court Receiver and Court Receiver's fees. The Court Receiver to ensure that the applicants deposit some reasonable amount as security towards payment of such fees.

2] This order is made in presence of applicant No.1, who on behalf of applicant No.2, and respondent No.1 have authority to give consent to the making of aforesaid order.

3] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)

CERTIFICATE

“I certify that this Order uploaded is a true and correct copy of original signed Order.”

Uploaded by : Dinesh S. Sherla
Personal Assistant to the
Hon'ble Mr. Justice M.S.Sonak
Uploaded on : 03/09/2015