

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8795 OF 2014
IN
REVISION APPLICATION NO.67 OF 2012

M/s.Fatehchand Meghraj)... Petitioner
V/s.
Smt.Girija Thimmaya Shetty & Ors.)... Respondents

Mr.H.K.Vazirani a/w Ms.Pushpa H.Goswami for petitioner.

None for respondents.

CORAM: K.R.SHRIRAM, J.

DATED : 07.01.2015.

P.C. :

1 The order impugned in this writ petition is passed by the appellate bench of the Small Causes Court, Mumbai, refusing to grant the reliefs sought by the petitioner because the petitioner has not been paying the standard rent since May-2005. The counsel for the petitioner states that the petitioner was not making the payment since for the period prior there to, the petitioner was paying rent at the rate of Rs.485.82/- per month as against Rs.405.02/- and there was no order passed by the Small Causes Court regarding adjustment of the excess amount paid.

2 The counsel for the petitioner undertakes to pay rent at the rate of Rs.485.82 per month for the entire outstanding period within

two weeks from today and also undertakes to pay the same amount for the future until the disposal of the suit. He also undertakes and assures that there will be no default at any point of time by the petitioner in payment of rent.

3 In view thereof, the petition stands disposed. The trial court may at the final hearing of the suit, consider the issue of adjustment of excess rent if any, paid by the petitioner.

With this, petition stands disposed of.

(K.R.SHRIRAM, J.)