

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 2916 OF 2015

IN

WRIT PETITION NO. 9912 OF 2014

Chandru Wadhmal Thadani. ..Applicant.

In the matter between

Chandru Wadhmal Thadani. ..Petitioner.

Versus

Kakad Housing Corporation
and Others. ..Respondents.

Mr. Sudarshan S. Shingharani for the Petitioner.

Mr. N. K. Mudnaney for the Respondents.

Coram : RANJIT MORE, J.

Date : **November 18, 2015.**

P. C. :

1. Heard. Civil application is filed for deletion of the word "landlord" appearing in paragraph 2 of the order dated 13th November 2014 passed in above writ petition. In the writ petition, the Applicant-herein had assailed the order dated 9th October 2014 passed by the Appellate Bench of the Small Causes Court on an application at Exhibit-8 in Appeal No. 50 of 2011. By the said order, the application preferred by the Defendant was allowed and trial Court's decree was stayed subject to his depositing an amount of Rs.9,000/- per month as compensation for the use and occupation of the suit premises during the pendency of appeal.

2. The learned Counsel appearing for the Applicant submitted that the Applicant was aggrieved by the condition of stay

and therefore had filed the aforesaid writ petition. He further submitted that the Applicant has not admitted the Respondent as his “landlord”.

3. Since there is no reference to the word “landlord” in the order which is impugned in the writ petition, I find substance in the Applicant's contention. Hence, the word “landlord” appearing in the last line of paragraph 2 of the order dated 13th November 2014 passed in above writ petition is hereby deleted. Civil application stands disposed of.

[RANJIT MORE, J.]