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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.43 OF 2015
IN
CIVIL WRIT PETITION NO.205 OF 2015**

Jawaharlal Male Patwa .. Petitioner.
V/s.
The State of Maharashtra
and ors .. Respondents.

Mr. Hanumanta B. Laxmipalli i/by Ms Ratna R.
Jaiswal, for the Petitioner.
Mr. Idris Mohammedali Vora, for the
Respondent No.2.

CORAM : K. R. SHRIRAM, J.

DATE : 21st January, 2015.

P.C.

This petition is filed challenging the order of the Appellate Bench of the Small Cause Court, passed on 10th February, 2014, by which the petitioner was directed to pay a sum of Rs.5,000/- per month as rent and also to deposit the arrears of rent of Rs.5,000/- per month from February, 2014 to November, 2014. In addition to this, the petitioner was

directed to deposit agreed license fee of Rs.200/- per month in the Court on or before 10th of every succeeding calendar month commencing from 10th December, 2014, and if, for earlier period the license fee has not been paid, the same is also to be paid. The respondent No.2 was allowed to withdraw the license fee. However, the monthly compensation was to be deposited in the nationalised bank.

2. The petitioner-plaintiff states that he is a taxi driver by profession and his earning is not enough to pay the amount of Rs.5,000/- per month. The petitioner is offering to pay a sum of Rs.1,000/- per month which was increased to Rs.2,000/- per month.

3. The counsel for the respondent opposed the petition and for any stay, but at the same time, he also left it to the Court to fix reasonable amount. The respondent is also a taxi driver. The petitioner and respondent are siblings. Without going into the merits of the

matter, compensation to be paid is fixed at Rs.3,000/-per month. Only to that extent the order dated 10.11.2014 is modified. Time to deposit the arrears is granted upto and including 31st January, 2015. The rest of the order remains unaltered. The Petition stands disposed of

(K. R. SHRIRAM, J.)