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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 520 OF 2014  
IN  
SUIT NO.322 OF 2014**

Dasharath G. Patil & Ors. ...Applicants/Plaintiffs  
VS  
New D.N.Nagar Co-op.Housing Societies Union Ltd.  
& Ors. ...Defendants.

.....  
Mr Vishal Kanade a/w Aftab Diamondwala, Ms Khyati Trivedi for the Plaintiffs.  
Mr R.S.Ghadge i/b A.S.Desai for Defendant No.1.  
Mr Nitesh Ranavat i/b Wadia Ghandy & Co. for Defendant No.3.  
Mr Prakash Punjabi for Defendant No.9.  
.....

**CORAM : S.C. GUPTA, J.**

**JUNE 16, 2015**

**P.C. :**

This is an application for speaking to minutes by the Plaintiffs in suit No.322 of 2014. Learned Counsel for the Plaintiffs submits that instead of requiring the Plaintiffs to visit the office of Defendant No.1 Society each time to collect the rent payable from time to time, Defendant No.1 society may be asked to forward the cheques payable towards the rent to the Plaintiffs in Suit No.322 of 2014, to the office of the Plaintiffs' Advocate. Defendant No.1 has no objection to this course being adopted. Accordingly, paragraph 25 of the order dated 1 December 2014 is varied by directing Defendant No.1 to pay the rent payable from time to time to the Plaintiffs in Suit No.322 of 2014, by forwarding quarterly cheques to the office of the Plaintiffs' Advocate. It is made clear that what is payable to the Plaintiffs is not only the rent from October 2011 up to the date of handing over of permanent alternative accommodation but also the arrears of rent as may be due in their respective cases upto October 2011. Learned Counsel for the Plaintiffs also submits that his clients are interested in putting an

end to the whole dispute by executing the appropriate documents with Defendant No.1 society as well as Defendant No.3 Developer. Learned Counsel for the Defendants submit that they will seek appropriate instructions from their clients in this behalf and thereafter communicate their response to the Plaintiffs. It is clarified that Notice of Motion No.520 of 2014 taken out in the present suit also stands disposed of along with the other Motions as recorded in the order dated 1 December 2014. It is also clarified that the arrears of rent, as may be found due and payable to the Plaintiffs up to October 2011, shall be paid within a period of two months from today.

**( S.C.GUPTE J. )**