

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.355/2016
IN
WRIT PETITION NO.5463/2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A. A. Kumbhakoni, Senior Advocate with Mr. Archit Jayakar with Ketki Gadkari with Hussein Bengali i/b. Jaykar & Partners for the applicant.

Mr. Gautam Akhad with Isnaan Patkar a/w. Ms. Rupali Lad i/b. Shukla & Associates for the respondent

CORAM : K. K. TATED, J.

DATE : APRIL 26, 2016

P.C.:

1. Heard. This application is made by the plaintiff for directions to the respondent to pay sum of Rs.1,11,55,200/- being amount due and payable as per order dated 31.01.2015 in Revision Application No.229/2013 to the applicant plaintiff upto 31.12.2015 together with interest calculated from March 2015 on the over due amount @ 12% p.a. aggregating to Rs.13,38,624/-.

2. The learned senior counsel for the applicant submits that though the Appellate Bench of Small Causes Court in Revision Application No.229/2013 in order below Exhibit- 9 in L.E. & C. Suit

No.107/138/2011 directed the respondent defendant to pay to the plaintiff interim compensation/ license fees @ Rs.70/- per sq.ft. per month on the carpet area of the suit premises, they failed and neglected to do so.

3. The learned counsel for the respondent defendant submits that they have complied with the order dated 31.01.2015 passed by the Appellate Bench of Small Causes Court. He submits that they are paying sum of Rs.70/- per sq.ft. to the applicant. To that effect, he made an endorsement on a farad. Same is taken on record and marked "X" for identification.

4. In view of the fact that the respondent is complying with the order dated 31.01.2015 passed by the Appellate Bench of Small Causes Court, nothing survives in the Civil Application.

5. For remaining grievances, if any, liberty granted to the applicant to make an appropriate application before appropriate court, which shall be decided on its own merits.

6. In view of the above, the Civil Application stands dismissed as infructuous.

JUDGE