

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.447 OF 2016

IN

CIVIL REVISION APPLICATION NO.1086 OF 2014

(Machindra B. Chavan Vs. Maharashtra Gandhi Smarak Nidhi and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
--	----------------------------------

Mr. Niranjan Mogre i/b. Mr. Ravi Shinde for Applicant.
Mr. S. G. Deshmukh for Respondent No.1.

CORAM : R. G. KETKAR, J.**DATE : 19TH AUGUST, 2016****P.C.:**

Heard Mr. Mogre, learned Counsel for the applicant
and Mr. Deshmukh, learned Counsel for respondent No.1.

2. For the reasons set out in the Application, Civil Application is allowed in terms of prayer clauses (b) and (c) with no order as to costs.

3. At the request of the learned Counsel for the parties, C.R.A.No.1086 of 2014 is taken for admission. By order dated 06.07.2015, this Court granted ad-interim order in terms of prayer clause (c) subject to condition that the applicant depositing in this Court, compensation @ Rs.10,000/- per month with effect from 01.09.2014. The arrears were to be deposited on or before 30.08.2015.

4. Mr. Deshmukh submitted that applicant has deposited compensation upto 30.09.2015 and has stopped depositing compensation from 01.10.2015 till date.

5. Mr. Mogre submitted that though the applicant approached the Registry for accepting the amount, the Registry did not accept the amount on the ground that there is no direction for depositing the amount from 01.10.2015. Paragraph 3 of the order reads thus,

“3] There shall be ad-interim relief in terms of prayer clause (c) subject to condition that the applicant deposits in this Court compensation at the rate of Rs.10,000/- per month effective from 1 September 2014. The arrears to be deposited on or before 30 August 2015.”

6. In view thereof, applicant was under obligation to deposit compensation @ Rs.10,000/- per month from 01.09.2014. As the applicant has deposited compensation upto 30.09.2015, applicant will deposit arrears of compensation @ Rs.10,000/- per month from 01.10.2015 till 31.08.2016, in this Court, within two weeks from today. Applicant will go on depositing compensation at the same rate from 01.09.2016 onwards in this Court.

7. List the matter for reporting compliance on 13.09.2016. It is made clear that in case the amount is not deposited within two weeks from today, the ad-interim order shall stand vacated without further reference to the Court.

(R. G. KETKAR, J.)