

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.734 OF 2016
IN
CIVIL REVISION APPLICATION NO.866 OF 2013**

Mohan Ganesh Talekar

.... Applicant

versus

Yeshwant Harishchandra Kambli
(since deceased), through heirs &
legal representative
Seema Chandrakant Varise & Ors.

... Respondents

.....

- Ms.Aditi Naikar i/b. P.J. Thorat, for the Applicant.
- Mr.Dushyant Pagare i/b. Mr.R.S. Datar, for the Respondents.

**CORAM : R.M.SAVANT, J.
DATE : 20th APRIL, 2017.**

P.C. :

1. By the above Civil Application, the applicant seeks permission to deposit the arrears of rent in respect of suit premises for the period from January 2011 upto January 2014 in the Small Causes Court, Mumbai. However, since application is being heard today, deposit will have to be made till April 2017 and for the period thereafter.

2. The Civil Application is accordingly allowed in terms of prayer clause (a) albeit to the modification that the deposit would be made till April 2017 and for every month thereafter without prejudice to the rights and contentions of the Respondent to file an application for interim compensation in terms of the judgment of the Apex Court in *Atma Ram Properties Private Limited, versus, Federal Motors Private Limited (2005) 1 SCC 705*.

3. Civil Application is disposed of.

(R.M.SAVANT, J.)