

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

WRIT PETITION NO. 5643 OF 2017

Tarachand Visanji Shah

...Petitioner

Versus

Mahesh Gajanan Karmarkar

...Respondent

....

Mr.Dilip Bodkw a/w Mr.Sharad Bhosale for the Petitioner.

Mr.Vijay D. Patil a/w Mr.Nikhil Chavan for the Respondent.

....

CORAM : B.P. COLABAWALLA, J.

DATE : 07th JUNE 2017

P.C. :

1. Rule. Respondent waives service.
2. Rule made returnable forthwith and heard finally.
3. By consent of the parties the operative part of the order shall read as under:-

Pending the hearing of the appeal, execution of the impugned decree is stayed subject to the following conditions.

- (i) The appellant shall deposit monthly compensation @ Rs.25,000/- per month from the date of the decree dated 09th March 2017. The arrears of compensation from the date of decree shall be deposited

within 30 days from today.

(ii) The appellant shall continue to deposit compensation of Rs.25,000/- per month on or before the 05th day of each month.

(iii) Any two defaults will result in the stay being vacated automatically without any further reference to the Court.

4. The Appellate Court is requested to dispose of the appeal as expeditiously as possible and preferably within a period of six months from today.

5. Rule is made absolute in the aforesaid terms.

6. Writ Petition is disposed of.

(B.P. COLABAWALLA, J.)