

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 266 OF 2017
IN
CIVIL REVISION APPLICATION NO. 27 OF 2016

Mrs. Noorjahan Burhan Ahmed .. Applicant
In the matter between :
Mrs. Noorjahan Burhan Ahmed .. Applicant
vs.
Mohammed Zubair A. S. Merchant & Ors. .. Respondents

Mr. Vivek K. Gupta for Applicant.
Mr. Owen Menezes i/b. Mr. Sean Wassoodew for Respondent No. 1.

CORAM : M. S. SONAK, J.
DATE: 08 AUGUST 2017

P.C :

- 1] Learned counsel for the parties on basis of instructions from their respective clients and further, without prejudice to their rights and contentions in the main Civil Revision Application, submit that this Civil Application can be disposed of with the following agreed order.
- 2] The applicant shall deposit before the Registrar of the Small Causes Court, Mumbai (Executing Court) a sum of Rs.22,50,000/- on or before 14th August 2017.
- 3] The applicant shall deposit further amount of Rs.6,00,000/- before the Registrar of the Small Causes Court, Mumbai (Executing Court) on or before 14th September 2017.
- 4] The applicant is also granted four weeks time to deposit the arrears of rent before the Registrar of the Small Causes Court,

Mumbai (Executing Court).

5] The applicant shall pay to the respondent no. 1 i.e. Mohammed Zubair A. S. Merchant an amount of Rs.50,000/- as and by way of costs on or before 14th September 2017.

6] Subject to the compliances of the aforesaid, the interim order granted earlier to stand revived. Further, it is made clear that in case of breach of the aforesaid terms, the interim order which is now revived to stand vacated without any further reference to this Court and the execution which is already instituted, to then proceed in accordance with law.

7] Further, the applicant to continue to deposit the amounts in terms of the order made by this Court on 25th April 2016.

8] Learned counsel for the applicant, on basis of instructions from the applicant, who is present in the Court, states that no further extension of time will be applied for to comply with the directions for deposit of Rs.28,50,000/- as aforesaid and the amount of costs. This statement is accepted.

9] Civil application no. 266 of 2017 is disposed of in the aforesaid terms.

10] All concerned to act on authenticated copy of this order.

(M. S. SONAK, J.)