

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 238 OF 2017
IN
CIVIL REVISION APPLICATION NO. 171 OF 2017

Mr. Kundaswamy Maran (deleted)

1(a) Mrs Kunjamal Arumugam Devenra

and Another

..Applicants

Vs.

Mr. Louis Simon D'Souza and Others

..Respondents

Ms. Bhagyashree Mangle i/b E. A. Sasi, for the Applicants.

Ms. A. A. Takalkar, AGP, for the Respondent State.

CORAM :- **B. P. COLABAWALLA, J.**

DATE :- **JULY 18, 2017.**

P. C.:

This Civil Application has been filed seeking permission to deposit the rent of Rs.5,000/- per month for the months of May and June 2017 as per order dated 22nd March, 2017, within a period of two weeks from today.

2 By an order dated 22nd March, 2017 this Court had issued "Rule" in the above Civil Revision Application and granted

ad-interim relief in terms of prayer clause (c) subject to the Applicants depositing the amount of Rs.5,000/- per month as an adhoc amount from the date of the impugned order and continue to deposit the adhoc compensation at the same rate, for the months thereafter.

3 It is stated in the Civil Application that as far as the arrears are concerned as well as compensation for the month of April 2017, the rent has been duly deposited in the Small Causes Court. However, the rent for the months of May and June 2017, the same was not deposited by the Applicants as they were out of station and therefore they seek an extension of time to deposit the adhoc compensation for the months of May and June 2017 respectively.

4 Respondents though served had not appeared today and neither they have filed any affidavit in reply opposing this Civil Application. The learned counsel appearing on behalf of the Applicants undertakes to file the affidavit of service within a period of one week from today.

5 Having gone through the Civil Application and for the reasons more particularly set out therein, the Civil Application is allowed in terms of prayer clause (a). It is made clear that the adhoc compensation for the month of July 2017 onwards shall be deposited by the Applicants in the Small Causes Court without any delay.

(B. P. COLABAWALLA, J.)