

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

**CIVIL APPLICATION NO. 644 OF 2016
IN
CIVIL REVISION APPLICATION NO. 817 OF 2014**

Shri Narendra Bhikaji Chavan And Ors ...Petitioners
Versus
Smt Amina Benny D'souza,
Thru. Guardian Mrs V. Margeretta ...Respondent

**WITH
CIVIL APPLICATION NO. 645 OF 2016
IN
CIVIL REVISION APPLICATION NO. 863 OF 2014**

Shri Narendra Bhikaji Chavan And Ors ...Petitioners
Versus
Mr Willma Rebello ...Respondent

**WITH
CIVIL APPLICATION NO. 646 OF 2016
IN
CIVIL REVISION APPLICATION NO. 868 OF 2014**

Shri Narendra Bhikaji Chavan And Ors ...Petitioners
Versus
Mr. Shaikh Mohamman Shafi
(since Deceased)
Thru. Lrs. Smt Bashirun Shafi Shaikh And Ors ...Respondents

**WITH
CIVIL APPLICATION NO. 647 OF 2016
IN
CIVIL REVISION APPLICATION NO. 869 OF 2014**

Shri Narendra Bhikaji Chavan And Ors ...Petitioners
Versus
Tamiz Begum Abdul Rehman
(since Deceased),
Thru. Lrs. Shaikh Imtiyaz Abdul
Rehman And Ors ...Respondents

**WITH
CIVIL APPLICATION NO. 649 OF 2016
IN
CIVIL REVISION APPLICATION NO. 1152 OF 2014**

Shri Narendra Bhikaji Chavan And Ors ...Petitioners

Versus

Mr Roland Henriques (since Deceased)
Thru. Lrs. Smt Veronica Henriques And Ors ...Respondents

Mr.Akshay A. Deshmukh for the Applicant.

Mr.Rajesh More a/w Ms.Amrita Agarwal for the Respondent.

Mr.Prahlad Paranjape i/b Mr.Rusabh Sheth for the Petitioner in person present in Court in CRA No.817 of 2014.

CORAM : M. S. SONAK, J.

DATE : 23rd AUGUST 2017

P.C.

1. Heard learned counsel for the parties.
2. One of the issues raised in these applications relates to the applicability of the provisions of the Maharashtra Rent Control Act to premises located in cantonment area of the Pune Cantonment Road. The learned counsel for the petitioners points out that this precise issue is pending consideration before the Division Bench of this Court in Writ Petition No.2937 of 2011 and connected matters.
3. In view of the aforesaid rule.

4. In all these cases, there shall be interim relief restraining the respondents from executing the eviction decrees.

However, this shall be subject to the following conditions :-

(a) The applicants to file usual undertaking in this Court within a period of four weeks from today;

(b) The applicants to deposit in this Court compensation at the rate of Rs.5,000/- per month w.e.f. 01st June 2014 and to continue to deposit the same on or before the 05th day of each succeeding month.

(c) The learned counsel for the applicants points out that in pursuance of the ad-interim orders made earlier, the applicants have been depositing compensation at the rate of Rs.2,000/- per month. Accordingly, the applicants, shall be entitled to credit for the amounts already deposited.

(d) The time limit for deposit of arrears i.e. differential amount shall be six months from today.

(e) In case of failure to deposit the arrears or

in case of any two consecutive or three non-consecutive defaults, interim relief now granted to stand vacated without any further reference to this Court.

5. In determining reasonable compensation, I have considered the valuation reports filed by both the parties as also, the capacity of the applicants to deposit the amounts in question. This direction to deposit is made in terms of the decisions of the Hon'ble Supreme Court in the case of ***Atma Ram Properties (P) Ltd. vs. Federal Motors (P) Ltd.***¹ And ***State of Maharashtra & Anr. vs. M/s. Super Max International Pvt. Ltd. & Ors.***²

6. Upon disposal of Writ Petition No.2937 of 2011, parties are at liberty to apply for fixing a date for final disposal of these Civil Revision Applications.

(M. S. SONAK, J.)

¹ (2005) 1 SCC 705

² 2009 (5) ALL MR 1001