

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2193 OF 2017
IN
WRIT PETITION NO.5912 OF 2015**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr.Prathamesh Kamath a/w. Ms. S. Rachure i/b. T.N. Tripathi and Co. for the applicant. Ms. Jigna Shah a/w. Meetal Savla i/b. P.M. Shah, for the Respondents.
	CORAM : R. G. KETKAR, J. DATE : 15/09/2017

P.C.:

1. Not on board. At the request of Mr.Kamath, taken up in the production board.
2. Heard Mr.Kamath, learned Counsel for the applicant and Ms.Shah, learned Counsel for the respondents.
3. By consent of parties, paragraph-2 of the order dated 29.6.2016 in above Writ Petition is substituted as under :

“2. Learned Counsel for the parties state that the order passed today in W.P. No.5908/2015 will govern the fate of this petition except to the extent of defendant No.1 depositing arrears of rent @ Rs.2000/- per month three years before filing of the Suit by

directing defendant No.1 to deposit the arrears of rent of suit premises for three years before the date of filing of suit @ Rs.4000/- per month after giving credits of the amount already deposited. The plaintiff is permitted to withdraw amount of Rs.2000/- per month out of total amount deposited in the Court by defendant No.1 and same shall be without prejudice to the rights and contentions of the parties.”

4. Rest of the order shall remain as it is. Defendant No.1 shall make the payment within one week from today. Civil Application is disposed of. Order accordingly.

(R. G. KETKAR, J.)