

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 371 OF 2016
IN
CIVIL REVISION APPLICATION NO. 316 OF 2014

Vijaylakshmi A. Korba

..Applicant
(Org. Respondent)

vs.

Smt. Manik R. Karpe and ors.

..Respondents
(Org. Applicants)

Mr. Ajit S. Karwande for the Applicant.

Mr. Tushar Dahibawkar i/b Dahibawkar & Co. for the Respondents.

CORAM : M. S. SONAK, J.
DATE: 03 OCTOBER 2017

P.C :

1] By this civil application, the respondent-landlord in Civil Revision Application No. 316 of 2014, applies for a direction to the civil revision applicants to deposit compensation at the rate of Rs.10,000/- per month.

2] Learned counsel for the landlord points out that this Court by its order dated 16th July 2014 had admitted the revision application and further granted the interim relief in terms of prayer clause (c).

3] Mr. Tushar Dahibawkar, learned counsel for the civil revision applicants, points out that the applicants are not interested in getting any interim relief, since, by the impugned order, the Appeal

Court has only set aside the decree by which the civil revision applicants had been declared as tenants.

4] Mr. Dahibawkar points out that the landlord had already instituted a suit seeking eviction of the civil revision applicants before the Small Causes Court and the same is pending. In such a suit, Mr. Dahibawkar points out that the civil revision application for deposit of rent/compensation is already allowed and the civil revision applicants are already paying/depositing the rent/compensation.

5] In view of the aforesaid, the interim order granted by this Court on 16th July 2017, is hereby vacated. Since the interim order is vacated, there is no question of considering Civil Application No.371 of 2016. This civil application is accordingly dismissed.

6] The civil revision application will be heard on its own merits.

(M. S. SONAK, J.)