

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

**CIVIL APPLICATION NO.760 OF 2016
IN
CIVIL REVISION APPLICATION NO.587 OF 2015**

Shri Suryakant Vithal Sawant

..Applicant

Vs.

M/s. Deepraj Hotel through Mrs. Sunita
Sanjay Bhalekar

..Respondents

Mr. A. S. Khandeparker, i/b Khandeparker & Associates for the Applicant.
Mr. Rajendra C. Dhuru for the Respondent.

CORAM: M.S. SONAK, J.

DATE: 25th SEPTEMBER 2017

P.C. :

. In this case the Applicant submits that there is default on the part of the Respondent in complying with the orders dated 21/10/2015 and 28/4/2016 in the matter of deposit of compensation. The Applicant submits that in terms of the two orders, amount of deposit from 1/8/2015 upto 13/9/2017 would come to Rs.6,50,000/- He submits that only an amount of Rs.2,75,000/- has been deposited.

2. Mr.Dhuru, Learned counsel for the Respondent submits that there is no default. There is no clarity as to whether the entire amount in terms of the two orders, is needed to be deposited.

3. However, it will not be appropriate to vacate the interim relief at this stage, instead, an opportunity is given to the Respondent to deposit the entire amount in terms of the orders dated 21/10/2015 and 28/4/2016 within a period of 2 months from today. In case, the entire

amount is not deposited within a period of two months from today, the interim order granted by this Court, shall stand vacated. Since, there are always disputes as to whether there is compliance or not, liberty is granted to the Applicant to take out a fresh application in case of default by giving a chart, so that, confusion as regards compliances is avoided.

4. Civil Application is disposed of in the aforesaid terms.

(M. S. SONAK, J.)