

*JPP*

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

***CIVIL APPLICATION NO. 1950 OF 2016***

***in***

***WRIT PETITION NO. 813 OF 2003***

Batooknath Ambepasad Mishra.

...Applicant  
(Orig. Petitioner)

**In the matter between**

Ambepasad Krishnanand Mishra (Since deceased)

Batooknath Ambepasad Mishra.

... Petitioner.

V/s.

Smt. Khatijabai Ahmed (Since deceased)

1. Fakir Mohd s/o. Ahmed Moosa & Ors.

... Respondents.

Mr. R.D. Mishra for the Applicant/Orig. Petitioner.

None for Respondents.

***Coram : N.M. Jamdar, J.***

***Date : 17 March, 2017.***

**P.C. :-**

The learned Counsel for the Applicant states that notice is served. No reply is filed. Perused the Application. Considering the fact that the averments made in the Application have gone uncontroverted, which constitute a sufficient cause, the Civil

Application is allowed in terms of prayer clause (a). Arrears to be deposited within four weeks from today.

2. The learned Counsel for the Applicant states that henceforth the Applicant will not cause any delay in deposit of the rent. This statement is accepted.

*(N.M. Jamdar, J.)*