

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CHAMBER SUMMONS NO.1533 OF 2016
IN
SUIT NO.760 OF 2013**

Kedar C. Berde ... Applicant/Plaintiff
versus
Rishabraj Housing and Anr. ... Defendants

M/s. Dhanuka and Partners, for Plaintiff.
Mr. G.N.Salunke with Mr. S.R.Mishra, for Defendant No.1.

CORAM: S.J. KATHAWALLA, J.

DATE: 19th JANUARY, 2017

P.C.:

1. The learned Advocate for Defendant No.1 has without prejudice to the rights and contentions of Defendant No.1, handed over a cheque of Rs.7,71,353/- to the Plaintiff towards arrears of compensation for temporary alternate accommodation. The Plaintiff has accepted the same without prejudice to his rights and contentions including his contention that he is entitled to Rs.9,85,623/- as on today.
2. The Defendant No.1 shall obtain the occupation certificate in respect of Flat No.702. Thereafter the Plaintiff shall accept possession of Flat No. 702 without prejudice to his rights and contentions in the above Suit. The Plaintiff shall not object to the Corporation granting occupation certificate in respect of Flat No.702. Liberty to apply.

3. The Chamber Summons is accordingly disposed of.

(S.J.KATHAWALLA, J.)