

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

C.A.W. NO. 1563/2017 IN WRIT PETITION No. 1226/2017

(MAHADEV BABURAOJI PUND -vs- WAMAN KESHAVRAO KARANDIKAR)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri G.N. Khanzode, counsel for petitioner.
Shri P.K. Dhomne, counsel for respondent.

CORAM: S.C. GUPTE, J.

DATE : AUGUST 14, 2017.

The civil application is taken out for stay of a warrant of possession in execution of a decree passed by the trial court and confirmed by this court. The decree was for possession of the suit premises. The time to vacate was extended by this court up to 30/11/2017, subject to payment of occupation charges at the rate of Rs.10,000/- per month, from the month of April-2017 and till the premises were vacated. On default of any payment on or before 10th of any month, the decree was to become executable forthwith.

The grievance of the applicant (original respondent) in the present civil application is that there had been defaults in payment of the occupation charges. Whereas it is a matter of fact that a couple of payments were delayed on the part of the original petitioner, it is

not disputed that the entire occupation charges up to 30/11/2017 now stand paid. In the premises, nothing survives in the application, and hence the application is dismissed.

JUDGE

Yenurkar