

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.14136 OF 2017

**PRADEEP DATTULAAL SORTI THROUGH HIS POWER OF
ATTORNEYR D SORTI**

VERSUS

ANURADHA ARUN NAKADE AND ANOTHER

...

Advocate for the Petitioner : Shri G. N. Kulkarni (Mardikar)
Advocate for the Respondent Nos. 1 and 2 : Ms. S. A. Dhumal
-Tambat

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 17th DECEMBER, 2018.

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PER COURT :

1. I have heard the learned Advocates for the respective sides.

2. The grievance of the petitioner is that though this Court has passed two orders on 07/07/2010 in Writ Petition No. 874/2010 and 02/12/2011 in Civil Application No. 6442/2011 in the same Writ Petition, the Trial Court has permitted the respondent, by the impugned order dated 07/09/2017, to deposit the rent for the months of July, August and September 2017 on 07/09/2017. This is in breach of the earlier orders and hence the interim relief granted in Writ Petition No.

874/2010 deserves to be vacated.

3. The learned Advocate for the respondents submits, on instructions, that henceforth there will not be any lapse even for a single month's payment and there shall be no delay.

4. Considering the above, this petition is disposed off by concluding that henceforth if the respondents failed to deposit the rent amount for each month on or before the 10th day, the interim relief granted earlier shall stand vacated and the Executing Court shall then proceed with the execution proceeding forthwith. The delay of even one day shall not be entertained in view of the three lapses on the part of the respondents as noted in the earlier orders.

(RAVINDRA V. GHUGE, J.)

shp/-