

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 155 OF 2018
IN
WRIT PETITION NO. 798 OF 2014

Pravin Dwarkadas Mavani **Applicant**

IN THE MATTER BETWEEN

Pravin Dwarkadas Mavani **Petitioner**

VERSUS

**Damodar Bhavan Co.o;.Housing
Society Limited & Ors.** **Respondents**

Mr.D.P.Singh, i/b. Mr.Atul Singh for the Applicant in CA/Petitioner.

Ms.Prabha Badadare for the Respondent no.1.

Mr.S.D.Rayrikar, A.G.P. for the State – Respondent nos. 2 and 3.

CORAM : R.D. DHANUKA, J.

DATE : 19th JANUARY, 2018

P.C.

Learned counsel appearing for the applicant on instruction states that his client would deposit the entire amount of various maintenance and outgoings in respect of the flat in question in this court within six weeks from today without fail. Statement made by the learned counsel for the petitioner is accepted as and by way of undertaking to this court. In view of the undertaking rendered by the learned counsel for the applicant, respondent no.1 society shall not take any further steps in execution of the impugned order. It is made clear that no further extension would be granted. If the amount is not deposited, the interim

protection granted by this court to stand vacated without further reference to court. In that event, this court will also initiate appropriate proceedings for committing breach of the undertaking given to this court against the petitioner.

2. Learned counsel for the petitioner states that his client would also pay the amount of maintenance regularly to the society directly without prejudice to the rights and contentions of both the parties. If any such amount is paid by the petitioner, the society shall issue receipts acknowledging such payment without prejudice to the rights and contention of the society and subject to the outcome of the writ petition.

3. Civil application is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]