

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**Civil Application NO. 459 OF 2018**  
**IN**  
**Review Petition NO. 124 OF 2018**  
**IN**  
**Writ Petition No.8326 OF 2018**

Shri Vijay Shukla ...Applicant  
*Versus*  
M/s. Isha Home Private Limited  
And others ...Respondents

....  
Mr. A.R. Shukla, Advocate for the Applicant.

....

CORAM : R. G. KETKAR, J.

DATE : 21<sup>st</sup> NOVEMBER, 2018

P.C.

1. Heard Mr.A.R. Shukla, learned counsel for the applicant.
2. Mr. Shukla states that as per the order dated 19.10.2018 the applicant has deposited the balance amount of arrears covering the period upto 30.9.2018 in this Court. He states that the applicant is present in the Court today. He has tendered a photocopy of applicant's Aadhaar card, which is taken on record and marked 'X' for identification.
3. Upon taking instructions from the applicant, Mr.Shukla states that the applicant has not deposited the compensation @ Rs.25,000/- for October, 2018 as per the order dated 2.7.2018 passed by this Court

in the main petition. Upon taking instructions from him, Mr.Shukla states that within three weeks from today the applicant will deposit Rs.25,000/- being the compensation for the month of October, 2018 and further amount of Rs.25,000/- being the compensation for the month of November, 2018 in the Small Causes Court, Mumbai under intimation in writing to the learned counsel for the respondents. He assures that the applicant will not seek further extension of time for depositing the compensation for October, 2018 and November, 2018 in the trial Court. The applicant will go on depositing the compensation @ Rs.25,000/- per month from December, 2018 onwards on or before 10<sup>th</sup> day of each following month/s in the trial Court under intimation in writing to the learned counsel for the respondents. Statements made by Mr. Shukla, on instructions, are accepted in the form of undertaking to this Court.

4. In view thereof, Civil Application is disposed of in the following terms :

- i. The applicant will deposit Rs.25,000/- being the compensation for the month of October, 2018 and further amount of Rs.25,000/- being the compensation for the month of November, 2018 in the Small Causes Court, Mumbai within three weeks from today under intimation in writing to the learned counsel for the respondents.

- ii. It is made clear that the applicant will not seek further extension of time for depositing the compensation for October, 2018 and November, 2018 in the trial Court.
- iii. The applicant will go on depositing the compensation @ Rs.25,000/- per month from December, 2018 onwards on or before 10<sup>th</sup> day of each following month/s in the trial Court under intimation in writing to the learned counsel for the respondents.
- iv. Subject to compliance, as aforesaid, the stay granted by the Appellate Court shall remain in force.
- v. Mr. Shukla assures that he will serve copy of this order on the other side.
- vi. Order accordingly.

(R. G. KETKAR, J.)