

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL APPLICATION NO.127 OF 2017
WITH
CIVIL APPLICATION NO.128 OF 2017
IN
CIVIL REVISION APPLICATION NO.332 OF 2010

Mangala Shrikrishna Deolankar and others.]	Applicants
Vs.	
Viajayalaxmi Anant alias Bandopant]	
Sarpotdar and another.]	Respondents

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Mr. S.N. Chandrachood, for Applicants.
Ms. Shruti Tulpule, for Respondents in Civil Applications and Applicants in C.R.A.

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CORAM : R.G. KETKAR, J.

DATE : 30th JANUARY, 2019.

P.C.

Not on board. At the request of Mr. Chandrachood, taken up in the production board.

2. Heard Mr. Chandrachood, learned Counsel for the applicants and Ms. Tulpule, learned Counsel for the respondents.

3. C.A. No.127 of 2017 is taken out for expediting hearing of the Civil Revision Application and for investing the amount of compensation in any nationalized Bank.

4. C.A. No.128 of 2017 is taken out for fixing C.R.A for final hearing.
5. Mr. Chandrachood submitted that by order dated 6th January, 2012, this Court (Coram: A.S. Oka, J.) permitted the applicants herein to withdraw the agreed contractual rent unconditionally. The amount over and above the agreed contractual rent was also permitted to be withdrawn subject to furnishing the bank guarantee to the satisfaction of the trial Court. He submitted that bank guarantee already furnished by the applicant shall be kept alive and renewed from time to time during pendency of C.R.A. In so far as further withdrawal of the compensation amount is concerned, he submitted that the same may be invested in any Nationalized Bank during pendency of C.R.A.
6. Ms. Tulpule has no objection.
7. In view thereof, the applicants shall keep the bank guarantee already furnished alive and shall renew it from time to time during pendency of C.R.A. In so far as further compensation amount is concerned, the learned trial Judge shall invest the same in a Fixed Deposit of any Nationalized Bank during pendency of C.R.A.
8. In so far as prayer of expediting hearing of the C.R.A is concerned, Office shall list the C.R.A for final hearing serially under the caption of 'bona fide requirement'.
9. C.A. No.127 of 2017 and 128 of 2017 are disposed of accordingly.

[R.G. KETKAR, J.]