

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

**WRIT PETITION NO.6317 OF 2019**

Pioneer Automobiles and ors.

-vs-

Somdatta s/o Ramprasad Shukla and ors.

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

Court's or Judge's Orders.

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Shri V. V. Bhangde, Advocate for petitioners.

Shri S. A. Mohta, Advocate for respondent Nos.1 and 2.

**CORAM : A.S.CHANDURKAR, J.**

**DATE : September 23, 2019**

Heard the learned counsel for the parties.

It was put to the learned counsel for the petitioners that an amount of Rs.4000/- per month as compensation would appear to be reasonable for being imposed as a condition for grant of stay. On instructions Shri V. V. Bhangde, learned counsel for the petitioners submits that without prejudice to the determination of damages/mesne profit the petitioners would pay interim compensation of Rs.4,000/- per month.

In view thereof and following the course as was followed in Writ Petition No.5976/2017 the following order is passed :

- (i) The petitioners shall without prejudice to their rights pay an amount of Rs.4000/- per month as interim compensation from June 2019 till the disposal of the appeal. The respondents shall accept that amount without prejudice to their rights.
- (ii) In the circumstances proceedings in R.C.A. No.40/2019 are expedited. The appellate Court shall decide the appeal on its own merits by the end of March 2020. It is open for the respondent to take steps to execute the monetary decree as passed by the trial Court.

The Writ Petition is disposed in aforesaid terms. No costs.

**JUDGE**