

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

C.R.P.No.3001 of 2019

ORDER:

Heard the learned counsel for the petitioners.

2. This Revision Petition is filed against the order dt.21-11-2019 in I.A.No.620 of 2019 in R.C.A.No.114 of 2019 of the Chief Judge, City Small Causes Court, Hyderabad, whereby the trial Court while granting stay of operation of the orders dt.16-08-2019 in R.C.No.147 of 2017, directed the petitioner to deposit of 50% of the enhanced rent including arrears within one month and continue to deposit the same till the disposal of the appeal on or before 5th of every month.

3. The respondents/landlords filed counter before the trial Court stating that as on 01-11-2019, the petitioner has to pay Rs.4,80,000/-.

4. The petitioner/tenant has started workshop viz., Samad Auto Mechanics in the subject property with a monthly rent @ Rs.90/- per month. Subsequently, the trial Court, by its order dt.16-08-2019 in R.C.No.147 of 2017, has enhanced the same by fixing the fair rent @ Rs.20,000/- per month.

5. In the present Revision Petition, the learned counsel for the petitioner fairly submitted that as against a sum of Rs.4,80,000/-, which is payable by his client, he is willing to pay the same in two instalments, if the Court grants time for a period of two months.

6. Since the petitioner/tenant is a mechanic and it would be difficult for him to pull up the funds immediately, this Court feels granting some reasonable time to pay the 50% amount in the form of two instalments would be just and proper.

7. Hence, the petitioner is directed to pay a sum of Rs.1,20,000/- (Rupees One Lakh and Twenty Thousand only) on or before 15-01-2020 as first instalment, and thereafter, pay the remaining balance sum of Rs.1,20,000/- (Rupees One Lakh and Twenty Thousand only) on or before 15-02-2020 and continue to pay 50% of the enhanced rent i.e. Rs.10,000/- per month on or before 5th of every month as decided by the trial Court. In default, the relief granted to the petitioner shall stand automatically vacated and consequently the Revision Petition shall stand dismissed.

8. With the above directions, the Civil Revision Petition is allowed. No costs.

9. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE T.AMARNATH GOUD

Date: 16-12-2019

kvr