

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1085 OF 2021
IN
CIVIL REVISION APPLICATION NO. 329 OF 2011**

Jivandas Jethalal

.....Applicant

IN THE MATTER BETWEEN :

Dwarkadas Jethalal and Ors.

**...Applicant /
Orig.Appellants/
Orig.Defendants**

V/s.

Smt. Lata Shantaram Newaskar
Since deceased and Ors.

....Respondents

* * * *

Ms. Panthi Desai i/by. M.P. Vashi & Associates, Advocate
for the applicant.

Mr. Chandrakant N. Chavan, Advocate for the
respondents.

CORAM : SANDEEP K. SHINDE, J.

Friday, 30th April, 2021.
(through Video Conference)

P.C. :

1. Applicants in the Civil Revision Application No.
329/2011 are seeking condonation of delay occurred in

depositing the interim compensation, as directed by this Court vide order dated 3rd April, 2012.

2. It appears, the applicants could not deposit the compensation for the month of February, March and April, 2021 for the reasons stated in the application.

3. Mr. Chavan, learned Counsel for the respondents opposed the application and contended, the reasons stated are not genuine. Mr. Chavan submits that, though the decree was passed long back, the respondents are deprived of the fruits of the decree and therefore the Civil Revision Application be added to the final hearing board.

4. In consideration of the facts of the case, the applicants are permitted to deposit the arrears of the compensation i.e. for the month of February, March and April, 2021 on/or before 24th May, 2021 and thereafter shall deposit the compensation regularly.

5. The application is allowed in the aforesaid terms and disposed of.

6. Registry is directed to list the Civil Revision Application No. 329/2011 on the final hearing board in the week commencing from 21st June, 2021.

(Sandeep K. Shinde, J.)