

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL REVISION APPLICATION NO. 428 OF 2017****WITH****INTERIM APPLICATION NO. 1382 OF 2019**

Shri. Dilip Vishnu Kolhatkar

(Since deceased, through His LRs.)

.....Applicants.

Vs.

Smt.Rajani Kusumakar Khare

(Since deceased) through LRs.

Shri. Vasant Krishnaji Shevade & Anr.

.....Respondents.

Mr. R.S. Pai, Senior counsel i/by Neuty N. Thakkar for the Applicants.

Mr. R.V. Govilkar i/by Sandeep A. Bhagwat for the Respondents.

CORAM : A. S. GADKARI, J.

DATE : 15th DECEMBER, 2021.

PC:-

Mr. Govilkar, learned counsel appearing for the Respondents, at the outset raised a preliminary objection that, against the impugned Order dated 28th April, 2017 passed in Review Application No.02 of 2017, the present Civil Revision Application under Section 115 of the Code of Civil Procedure is not maintainable.

2 Mr. Pai, learned Senior counsel appearing for the Applicants therefore seeks leave to withdraw present Application with liberty to file a substantive Petition, thereby impugning the said Order dated 28th April, 2017 passed in Review Application No.02 of 2017.

Leave and liberty granted.

3 Revision Application is disposed off, as withdrawn with aforesaid liberty.

Ad-interim relief granted by Order dated 26th November, 2021 to continue for a period of four weeks from today.

4 Mr. Govilkar, learned counsel for the Respondents further submitted that, the Applicants have not complied with the directions issued by this Court in paragraph No.3 of the Order dated 22nd March, 2017 in Civil Revision Application No.657 of 2016 and have not deposited the arrears of rent till today.

5 Mr. Pai, learned Senior counsel for the Applicants submitted that, if the Applicants have not complied with the said directions or part thereof till today, the Applicants will deposit entire arrears as on 31st December, 2021, within a period of six weeks from today.

The said statement is accepted.

6 In view of disposal of Revision Application itself, Interim Application No.1382 of 2019 does not survive and is also disposed off.

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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