

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 10855 OF 2019**

Nitinkumar Hakchand @ Nitin Shah

.....Petitioner

Vs.

Gerald Pal D'mello

.....Respondent.

Mr. G.A. Tambe for the Petitioner.

Ms. Eventa Gonsolves a/w Reyden L. Gonsolves for the Respondent.

CORAM : A. S. GADKARI, J.**DATE : 1st DECEMBER, 2021.****P.C.:-**

Mr. Tambe, learned Advocate for the Petitioner submitted that, the directions issued by this Court dated 16th November, 2021 have been complied with. That, the Petitioner has deposited entire arrears as of 31st December, 2021 in the Registry of the Small Causes Court at Mumbai, yesterday.

2 As this Court has fixed the monthly compensation @ Rs.13,750/- per month for the Suit premises, the impugned Order dated 21st August, 2019 passed by the Appellate Bench of the Court of Small Causes at Bandra, Mumbai below Exh-7 in A1 - Appeal No.30 of 2019 stands modified and nothing further survives in the present Petition.

Writ Petition is accordingly disposed off.

3 The Appellate Bench of the Court of the Court of Small Causes

Mumbai, Bandra Branch seized of A1 - Appeal No.30 of 2019 is hereby requested to expedite the hearing of the said Appeal and make an endeavour to dispose it off, within a period of one year from today.

4 Mr. Tambe, learned Advocate for the Petitioner on instructions, submitted that, during the pendency of the said Appeal, the Appellant will not create any third party rights, title or interest in the Suit property. The said statement is accepted.

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed by
SANJIV
SHARNAPPA
MASHALKAR
Date: 2021.12.08
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