

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1331 OF 2021

Vijay s/o. Haribhau Borikar

vs.

Rajendra Prasad Singh Thakur

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

Court's or Judge's Orders.

Mr. R. R. Dawda, Advocate for petitioner.

CORAM : MANISH PITALE J.

DATE : 23/06/2021

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. In this writ petition (original landlord) is aggrieved by the order passed by the Court below whereby the respondent tenant has been directed to pay amount of Rs.3000/- p.m. towards occupational charges in respect of the suit premises for stay of the decree granted by the trial Court in favour of the petitioner.

3. It is submitted that the learned counsel for the petitioner has pointed out before this Court, on

01/04/2021, that the quantum of occupational charges was required to be enhanced, considering the fact that suit premises is located at Dharampeth, Nagpur.

4. This Court issued notice for final disposal. It appears that there was a caveat filed on behalf of the respondent but, the office note shows that notice issued for final disposal is yet to be served on the said respondent.

5. The learned counsel for the petitioner on instructions submits that if this Court directs the appellate Court to dispose of the appeal filed by the respondent in a time bound manner, the petitioner would be satisfied and that he would not press the present writ petition.

6. In the facts and circumstances, this Court is of the opinion that a very reasonable request is made on behalf of the petitioner and that the same can be granted, even if notice is yet to be served on the respondent. The expeditious disposal of the appeal will accrue to the benefit of both the parties.

7. Accordingly, the present writ petition is disposed of by directing the Court below i.e. Special

Judge, Special Court for differently abled persons, Senior Citizens and marginalized Section of society, Nagpur, to dispose of Regular Civil Appeal No.128 of 2019, as expeditiously as possible and in any case on or before **31st December, 2021**.

JUDGE