

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

CIVIL APPLICATION (CAW) NO.699/2017

IN

WRIT PETITION NO.6249/2016

Tushar @ Ajay s/o Prabhakar Battulwar

...Versus...

Sau. Bhagyashree @ Vibha w/o Tushar @ Ajay Battulwar and another

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

Court's or Judge's orders

Shri V.R. Thote, Advocate for petitioner

CORAM : AVINASH G. GHAROTE, J.

DATE : 26/08/2021

1. Heard Shri Thote, learned Counsel for the petitioner. None appears for the respondent no.1.
2. By an order dated 24/10/2016, the petitioner was directed to deposit an amount of Rs.1,40,000/- in the Court as a precondition of the interim order, which amount has been deposited. The respondent no.1 has filed the present civil application, seeking direction to the petitioner to engage Counsel, to pay the to and fro expenses and to protect her possession. It is an admitted position that the respondent no.1 is in possession of the property, which is the ground floor of the house situated at 96-B Swami Vihar, near

Datta Mandir, Bhusawal, District Jalgaon, in view of which, it is directed that during the pendency of the present petition, the respondent no.1 shall continue to reside there and the petitioner shall not make any attempt to disturb the possession of the respondent no.1 in respect of the above property. In so far as the plea for expenses is concerned, the amount of Rs.1,40,000/- deposited by the petitioner in this court be paid to the respondent no.1, which as of now, can take care of her expenses for engaging Counsel and travelling. In case any other expenses are required, it would be permissible for the respondent no.1 to move an appropriate application in that regard. The civil application is therefore disposed of accordingly. No costs.

WRIT PETITION NO.6249/2016

List the petition on 07/09/2021 for further consideration.

(AVINASH G. GHAROTE, J.)