

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

Civil Application (CAS) No. 693 of 2021

in

Second Appeal No. 534 of 2018

Santosh S/o Ghanshyam Sagare and another

Versus

**Suresh S/o Shivlal Suchak (dead), through his LR's Smt. Prafulla wd/o
Suresh Suchak and others**

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

Court's or Judge's Order

Ms. V.P.Thakre, Advocate for the appellants.

Shri M.R. Joharapurkar, Advocate for respondents.

CORAM : ANIL S. KILOR, J.

DATED : 15th DECEMBER, 2021.

This is an application for permission to deposit the amount of Rs.5,000/- per month in compliance with the order of this Court dated 2nd September, 2021.

2. Heard learned counsel for the respective parties.

3. After going through the order dated 2nd September, 2021, it is clear that this Court had directed the appellant to deposit the arrears of rent at the rate of Rs.750/- per month from the month of August, 2005 and Rs.1,500/- per month from the date of order before the Civil Judge, Senior Division, Chandrapur.

4. On a specific query made to the learned counsel for the applicants, she fairly states that the amount of arrears is more than Rs.1,00,000/-.

5. Looking to the averments made in the application and the submissions made by the learned counsel for the applicants, this application cannot be entertained at this stage, as the applicants are not seeking review or modification dated 2nd September, 2021 and in absence of any such prayer made in this application, this Court cannot accept the prayer made in this application, particularly when the direction issued vide order dated 2nd September, 2021 is in force.

6. Accordingly, the application is dismissed as not maintainable.

Civil Application No. 934 of 2021

1. The learned counsel for the appellants/non-applicants seeks two weeks time to file reply to this application.

2. Stand over to 7th January, 2022.

[ANIL S. KILOR, J.]

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