

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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**INTERIM APPLICATION NO.140 OF 2021
IN
CIVIL REVISION APPLICATION NO.6 OF 2020
WITH
INTERIM APPLICATION NO.141 OF 2021
IN
CIVIL REVISION APPLICATION NO.5 OF 2020**

Shrinivas Gopal Pandit

..Applicant

IN THE MATTER BETWEEN

Shri. Amrutlal Khemchand Oswal
Since deceased through his legal heirs
Smt. Jaywanti Amrutlal Oswal & Anr.

..Applicants

Versus

Shrinivas Gopal Pandit & Anr.

..Respondents

Mr. P. D. Dalvi, for the Applicant in both Interim Applications.
Mr. Satyajeet Rajeshirke, for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 19th OCTOBER, 2022

PC.

1. This Court on 12th December, 2018, while granting ad-interim relief directed the revision applicant to deposit compensation at the rate of Rs.8,000/- per month with effect from 1st July, 2017 and liberty was granted to the landlord to seek determination of compensation in terms of judgment of the Apex

Court in the matter of ***Atma Ram Properties (Private) Limited Vs. Federal Motors Private Limited*** reported in ***2005(1) SCC 705***.

2. The suit shops are admittedly used for the purpose of trading jewellery in the city of Kolhapur.
3. Considering the area, the location and the nature of business carried out by the revision applicant, in my opinion, it will be appropriate to direct the applicant/tenant to pay compensation at the rate of Rs.12,000/- per month to be deposited on or before 10th of each English calendar month.
4. The amount be deposited from the date of application i.e. 1st November, 2020.
5. Arrears be deposited in the Court below within period of three months from today.
6. Both these applications stand allowed in above terms.

[NITIN W. SAMBRE, J.]