

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6597 OF 2021

Rehan Iqbal Shaikh. ... Petitioner

Vs.

Mercy D'Souza. ... Respondent

...

Mr. Mahesh Subramaniam for the petitioner.

Ms. Ketki Gadkari for the respondent.

...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 07TH JANUARY, 2022.

P.C. :-

1. This court had granted a conditional ad-interim relief to the petitioner, vide order dated 08/10/2021. The entire arrears of rent, as directed by the competent authority, were to be deposited, within three weeks from 08/10/2021. The petitioner did not file a civil application before this court seeking extension of time. It is practically three months, beyond the time granted by this court, for

depositing the arrears. Even today, the arrears have not been deposited.

2. The affidavit-in-reply, filed by the respondent, is taken on record.

3. In view of the above, as the ad-interim protection was on the condition of the petitioner depositing the arrears, failure on the part of the petitioner would not justify the continuation of the ad-interim relief and the same is, therefore, vacated.

4. The petitioner is aggrieved by an inter-locutory order dated 23/03/2021 passed by the Additional Commissioner, Konkan Division, in Revision Application No.158 of 2021. The said revision application itself, has now been dismissed.

5. As such, this petition itself has been rendered infructuous, and the same is disposed off. The petitioner will be at liberty to avail of remedy, as is permissible in law, as regards the decision in Rev. Application No.158 of 2021.

[RAVINDRA V. GHUGE, J.]