



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

**WRIT PETITION NO.12384 OF 2022**

Ramesh Dayaldas Daswani

...Petitioner

Versus

M/s. Kishanchand Chellaram, a  
partnership firm and Anr.

...Respondents

...

Mr. R.U. Dholakia for the Petitioner.

Mr. Dakshesh Vyas i/b. Mr. Nishant Vyas and Mr. Yagnesh Vyas for  
Respondent No.1

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATED : 10<sup>th</sup> OCTOBER, 2023.**

**P.C.:-**

1. The petition impugns order dated 10/06/2022 passed by the Appellate Bench of the Small Causes Court, Mumbai in Appeal No. A1/11/2022. By the impugned order the learned Judge while staying the execution of the eviction decree dated 17/11/2021 in RAE Suit No.11/21, has fixed the interim compensation @ Rs. 68,000/- per month from the date of the decree till final disposal of the appeal.

2. The subject premises is a two bedroom flat situated at Kalbadevi. The Valuer appointed by the Respondent -landlord had assessed the compensation @ Rs.95,200/- per month. The learned Judge

upon considering the location and area of the building has assessed it at Rs.68,000/- per month.

3. With consent quantum of interim compensation is reduced from Rs.68,000/- to Rs.40,000/- per month from the date of decree till final disposal of the appeal. All other terms and conditions of the order remain the same. It is stated that the Petitioner has deposited an amount of Rs.7,00,000/-. Said amount shall be adjusted towards the amount payable under the present order.

4. The petition stands disposed of in above terms.

**(SMT. ANUJA PRABHUDESSAI, J.)**