

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2267 OF 2023
IN
CIVIL REVISION APPLICATION NO. 117 OF 2020**

Rajkumar Anant ChaurasiaApplicant

Versus

Pandurang Dadu DhereRespondent

Mr. Ashutosh R. Gole, Advocate for the Applicant.

Mr. Kirankumar Phakade, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th APRIL, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned counsel for the respondents.

2. Learned counsel for the applicant submits that monthly compensation of the suit premises is more than Rs.8,000/-. Since the year 2019, the respondent has not paid the monthly compensation, hence, direction be given to the respondents to pay monthly compensation @ Rs.8500/- per month.

3. Learned counsel for the respondent submit that the applicant has given his own flat on rent in the same building and he is taking rent of Rs.5,000/- per month. The monthly compensation of the suit premises is not more than Rs.6000/-. Hence, respondent is not liable to pay compensation @ Rs.8000/- per month.

4. I have heard both learned counsel. The applicant is stating monthly compensation of suit premises is more than Rs.8000/- per month. Whereas, it is contention of learned counsel for respondents that it is not more than Rs.6,000/- per month. Hence, I am considering monthly compensation of the suit premises @ Rs.6,000/- per month. The arrears at the rate of Rs.6000/- per month from the year 2019 would come to Rs.2,64,000/- till date. If the rent amount deposited by the respondent is deducted from this amount, the arrears up to April 2023 would come to Rs.2,58,000/-.

5. In view of above, I pass the following order:

ORDER

1. The application is allowed.
2. The respondent shall pay arrears of an amount of

Rs.2,58,000/- within ten weeks from today to the applicant and the respondent shall pay monthly compensation of Rs.6000/- per month regularly before 10th day of every month.

The application stands disposed of.

(SHIVKUMAR DIGE, J.)