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A.No.5549 of 2023

Application No.5549 of 2023
in
C.S.No.566 of 2015

ABDUL QUDDHOSE, J.

This Court, by its earlier order dated 30.10.2023 passed in this application, recorded the consent given by the respondents/defendants through their counsel for depositing 75% of the rental amount received by them from M/s.Gericare Pharmacy LLP after making proportionate deductions towards taxes payable by the applicant/plaintiff in respect of his claim towards 75% share in the suit schedule property, without prejudice to their rights and contentions in the main suit.

2. Today, a memo dated 30.10.2023 has been filed by the defendants, which has been counter-signed by the counsel for the defendants, in terms of the consent which was recorded by this Court in its earlier order dated 30.10.2023.

3. The learned counsel for the applicant/plaintiff has no objection for recording the said memo and giving a direction to the respondents/defendants to deposit 75% of the rental amount to the credit



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of the of the suit in terms of the said memo.

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4. After recording the memo dated 30.10.2023 filed by the respondents/defendants, this application is disposed of by directing the respondents/defendants to deposit a total sum of Rs.3,59,812/- as per the details given in the memo dated 30.10.2023 to the credit of the suit within a period of two weeks from the date of receipt of a copy of this order. It is made clear that till the disposal of the suit, apart from the aforesaid sum, the respondents/defendants shall continue to deposit the 75% of the rent collected to the credit of the suit. The amounts lying to the credit of the suit shall be invested in the fixed deposit in any nationalized bank by the Registry in favour of the Registrar General of this Court periodically once in every two months till the disposal of this suit. The memo dated 30.10.2023 shall form part of this order.

Post the matter before the learned Master-II for recording evidence on 01.11.2023.

31.10.2023

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