

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 18063 OF 2023
AND
INTERIM APPLICATION NO. 6764 OF 2024
IN
CIVIL REVISION APPLICATION NO. 361 OF 2018
WITH
CIVIL REVISION APPLICATION NO. 07 OF 2018
WITH
INTERIM APPLICATION NO. 6763 OF 2024
AND
INTERIM APPLICATION NO. 18062 OF 2023
IN
CIVIL REVISION APPLICATION NO. 07 OF 2018

Vinayak Krishna Chougule And Ors.

... Applicants

Versus

Shrinivas Gopal Pandit

... Respondent

Mr. Rahul R. Patil for the Applicants in CRA/361/2018 and CRA/07/2018.
Mr. Satyajeet Rajeshirke for the Respondent.

CORAM : SANDEEP V. MARNE, J.

DATE : 23 JULY 2024.

P.C. :

1) The Interim Application Nos.18063 of 2023 and 18062 of 2023 are filed by the Applicants seeking permission to deposit the arrears of

interim compensation fixed by this Court vide Order dated 12 December 2018.

2) By Order dated 12 December 2018, this Court fixed the amount of interim compensation on ad-hoc basis at the rate of Rs.8,000/- per month from 1 July 2017 and directed Petitioners to deposit the same in this Court. It appears that the arrears up to June 2019 are deposited by the Petitioners and thereafter there has been a default in deposit of interim compensation. Mr. Rajeshirke the learned counsel appearing for Respondents would in fact submit that some of the cheques issued in the name of the Registry after July 2019 have been dishonored.

3) Considering the conduct of the Applicants in ordinary circumstances, this Court would be loath in permitting the deposit of interim compensation considering the long time gap of default on the part of the Applicants. Mr. Patil would however submit that on account of COVID-19 outbreak, there were difficulties for Applicants to deposit the amount of interim compensation.

4) Considering the facts and circumstances of the case in my view while permitting deposit of arrears of interim compensation, Applicants will have to bear simple interest at the rate of 8% per annum on such an amount of arrears.

5) Accordingly, both the Interim Application Nos.18063 of 2023 and 18062 of 2023 are disposed of by permitting Applicants to deposit the

arrears of interim compensation up to August 2024 on or before 30 August 2024 along with interest at the rate of 8% per annum on arrears in respect of each month up to August 2024. It is clarified that if the deposit as directed above is not made before the stipulated date, the interim relief granted by this Court shall automatically come to an end and the Plaintiff would be in a position to execute the decree.

6) List both the Revision Applications on 2 September 2024, both for consideration of prayer for enhancing the amount of interim compensation as well as for possible final hearing.

[SANDEEP V. MARNE, J.]