

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

CIVIL REVISION APPLICATION NO.50 OF 2020

Sindhu Ramdas Nadkarni	... Applicant
Versus	
Sanjiv Sharad Mhatre	... Respondent

Ms. Rohini M. Amin a/w. Mr. Surendra Jadhav, for Applicant.

Mr. Prashant G. Karande a/w. Mr. Sudam S. Patil & Mr. Praful S. Pawar i/b. Mr. Ajit S. Hodage, for Respondent.

CORAM : RAJESH S. PATIL, J.

DATED : 8 APRIL 2024

P. C. :

Parties have tendered minutes of the Order dated 8th April 2024. Both the counsel submit that they have duly signed the minutes of the Order and fully agreed to delete paragraph Nos.3, 4 and 5 of the minutes of the Order.

2. The minutes of the Order taken on record. For ease of reference the minutes of the Order is reproduced below :

MINUTES OF ORDER

The parties have agreed for disposal of the Civil Revision Application on following terms:-

1. Without prejudice to the rights and contention of the parties herein, the Respondent has no objection if the Applicant is utilizing: (a) the main gate facility and (b) Terrace, of the building wherein the suit Premises is situated, till the issues constituting the subject matter of the pending R.A.E. Suit No.173/304 of 2014 attains finality before the Small Causes Court or at the highest Appellate forum, namely the Honble Supreme Court of India, whichever later.

2. The Respondent has handed over a set of the keys of the locks of the main gate to the Applicant on 20.10.2016 (as noted in Exhibit 35 on the file of trial), so as to enable the Applicant to operate the locks in case of emergency in compliance of the Order dated 22.09.2014 passed by the Court of Small Causes (Brandra Branch) Mumbai.

3. Deleted

4. Deleted

5. Deleted

6. Hearing of the R.A.E. Suit No. 173/304 of 2014 pending on the file of Court of Small Causes, Bandra Branch at Bandra, Mumbai is expedited and to be disposed within period of 6 months from the date this Minutes of Order is communicated to the Trial Court.

7. No order as to costs.

8. In view of aforesaid, the C.R.A. No.50 of 2020 stands disposed.

3. In terms of minutes of the Order dated 8th April 2024 Civil Revision Application is accordingly disposed of. Since the Civil Revision Application is disposed of, earlier Order dated 26 September 2019 in the Application automatically stands vacated. R. A. E. Suit No.173/304 of 2013 is now to be disposed of by the

Court of the Small Causes, Bandra Branch, Mumbai expeditiously within a period of six months from the date of this Order.

4. The parties also have agreed that in case there is water leakage in the suit premises they will cooperate with each other. Either the Landlord carry out such repairs as far as leakage is concerned or permits the tenant to carry out such repairs without changing the nature of suit premises.

(RAJESH S. PATIL, J.)

KISHOR
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