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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 8796 OF 2024
IN
Writ Petition NO. 1487 OF 2024

Dhun Dhunji Patel ...Applicant
Versus
Kersi Minocher Gherda
Deleted (since Decd) And Ors ...Respondents

Adv. Anoop Sharma for Petitioner/Applicant.
ms. Lakshmi Vora a/w. Adv. Samir B. Pawar for Respondent
Nos. 2 to 5.
Shri. Y. D. Patil, Agp for State.

CORAM RAJESH S. PATIL, J.
DATED: 10 MAY 2024

PC:-

1. This interim application is only filed for the limited purpose of allowing the applicant to remove her articles. The Writ Petition is already disposed of.

2. Both the counsel agree that all the articles from the suit premises have been removed by the applicant and keys of the suit premises has been handed over to the respondent trust.

3. A deposit of Rs.12,00,000/- of by the applicant is lying with the trust. The learned counsel for the trust submits that a sum of Rs.11,00,000/- from the said deposit would be handed over back to the applicant, within a period of one week from today. As regards the balance of Rs.1,00,000/-, the same will be handed over to the applicant only after deducting certain dues, which may be payable by the applicant. The balance payment will be made within a period of four weeks from today.

4. Learned counsel for the respondent-trust also submits that a four wheeler of the applicant is lying in the compound of the trust. Learned counsel for the applicant submits that the said four wheeler will be removed by 15 May 2024.

5. The applicant undertakes to pay compensation from December 2021 till April 2024, within a period of four weeks from today.

6. The applicant is permitted to withdraw the RAD Suit No.29 of 2022 and Review Petition (St) No.9345 of 2024.

7. On the applicant paying the compensation amount from December 2021 to April 2024 and the receipt of the same being handed over, to the applicant by respondent no.1 trust, the applicant would be permitted to withdraw the

amount deposited by the applicant in the Court of Small Causes in RAD Suit No.29 of 2022.

8. Interim Application is disposed of.
9. Parties to act an authenticated copy of this order.

(RAJESH S. PATIL, J)