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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
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CIVIL APPLICATION NO.484 OF 2018

IN

CIVIL REVISION APPLICATION NO.557 OF 2009

WITH

CIVIL REVISION APPLICATION NO.557 OF 2009

Namdeo B. Lodhi, since deceased
through His L.Rs. Smt.Prabhavati N. Lodhi & Ors. ..Applicants

IN THE MATTER BETWEEN :

Chandsab A. Mistry @ Shaikh & Ors. ..Applicants
V/s.

Namdeo B. Lodhi, since deceased
through His L.Rs. Smt.Prabhavati N. Lodhi & Ors. ..Respondents

Ms.Manjiri Parasnis for the Applicants.

Mr.S.N. Chandrachood for the Respondents.

CORAM : RAJESH S. PATIL, J.

DATE : 8TH APRIL, 2024.

P.C. :-

1. This Civil Application is filed by the original
Respondents / landlords seeking an order from this Court that

the original tenants be directed to deposit the market rent as per the ratio laid down by the Supreme Court in case of **Atma Ram Properties,(P) Ltd. vs. Federal Motors (P) Ltd.** reported in **(2005) 1 SCC 705**. The Civil Revision Application is admitted.

On 28 April 2010, after hearing both the parties.

2. The present Civil Application is filed only in the year 2018 and the same has been pending for hearing.

3. I have held in case of **Brijbhushan Shukla vs. Shri Mahendra Yadav**, Interim Application No.15729 of 2023 in Civil Revision Application No.646 of 2012, dated 12 January 2024, that such Civil Application filed after a long delay are not maintainable.

4. In view of the same, the present Civil Application is disposed of.

5. Since the Civil Revision Application is of the year 2009, the Civil Revision Application is fixed for hearing and final disposal on 29 April 2024 at 2:30 p.m.

6. Both the parties are directed to file a compilation of documents, short synopsis along with their preposition of law

and authorities relied upon by them before the next date of hearing.

7. Ms.Parasnis appearing for the Applicants in Civil Revision Application submits that the agreed rent has not been paid by the tenants due to certain personal difficulty for last one year.

8. The tenants are permitted to deposit the entire arrears of rent and rent upto December 2024 within a period of two weeks from today before the Trial Court.

(RAJESH S. PATIL, J.)