

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

Writ Petition No. 13900 of 2024

Mr. Tejas Kashinath Redkar ... Petitioner.

V/s.

Mr. Kiran Kashinath Redkar and anr. ... Respondents.

Mr. Jabbar Sheikh a/w. Ms. Shraddha Khandhadia	Advocate for the Petitioner
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CORAM : S.M. MODAK, J

DATE : 16 October 2024.

P.C. :

Heard learned Advocate for the petitioner-plaintiff. There is a preliminary decree passed by the City Civil Court (Page-348).

2. The defendants were directed to deliver 1/3rd share of the plaintiff in the suit property. In the meantime, plaintiff-petitioner comes with a case that he was dispossessed on 29 March 2022 and that is why the Notice of Motion was filed (Page 492).

3. As per the impugned order, the prayer (b) of the Notice of Motion asking for direction to defendant No.2 to pay monthly compensation of Rs.15,000/- was rejected (Direction No.5 of the order dated 24 June 2024) which is challenged by way of writ petition.

4. The Petitioner wants to file additional affidavit bringing the market value on record. He can file it in the office before the next date.
5. Issue notice before admission to Respondents, returnable on **2 December 2024**. Private notice is allowed. Service affidavit be filed.
6. Additional affidavit be also served together. The effect of the additional affidavit will be considered later on.

(S.M. MODAK, J.)