

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

WRIT PETITION NO.16229 OF 2024

Pradeep Dattatray Gandhi
V/S

....Petitioner

M/s. Ish Homes Private Limited & Anr.

....Respondents

Mr. K.C. Pandey *for the Petitioner.*

Mr. Amar Singh Chavan i/b lMr. Khan Javed Akhtar *for Respondents.*

**CORAM: SANDEEP V. MARNE, J.
DATE : 26 NOVEMBER 2024.**

P.C.:

1. The challenge in the Writ Petition is to the order dated 9 October 2024 passed by the Appellate Bench of the Small Causes Court in MARJI Application No.235 of 2024 thereby allowing the Plaintiff to withdraw the amount of compensation and rent deposited by the Defendants in the Court.

2. It is an undisputed position that the Appeal filed by the Petitioner/Defendant No.2 has been dismissed by Appellate Bench of Small Causes Court and thereafter the Civil Revision Application preferred by him has also been dismissed by this Court by order dated 9 September 2024. I therefore do not see any valid reason why the Plaintiff-landlord cannot be permitted

to withdraw the deposited amount of interim compensation and rent. No palpable error therefore is traced in the order passed by the Appellate Bench of the Small Causes Court. Writ Petition is devoid of merits and is **dismissed** with no order as to costs.

(SANDEEP V. MARNE, J.)

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