

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

CIVIL REVISION APPLICATION NO.241 OF 2023

**The Municipal Corporation of
Greater Mumbai & Anr.**

....Applicants

V/S

Smt. Kaiful Abdul Rauf

....Respondent

—
WITH

CONTEMPT PETITION NO.270 OF 2024

Smt. Kaiful Abdul Rauf

....Petitioner

V/S

M.C.G.M. & Anr.

....Respondents

—
Mr. Ziyad Madon i/b Mr. Shabnam Datiwala for the Petitioner in CP and Respondent in CRA.

Mr. Drupad Patil a/w Mr. Santosh Patil, Mr. Pradeep Patil for Respondents/BMC in CP and for the Applicants in CRA.

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CORAM: SANDEEP V. MARNE, J.

DATE : 18 JUNE 2024.

P.C.:

1 I have perused valuation reports placed on record by the Revision Applicants and by the Respondent. As per the valuation reports placed on record by the Revision Applicants, the rent in respect of the suit premises would be to the tune of Rs.44,750/- per month as against this the valuation report submitted by the Respondent depicts the monthly rent in respect of the suit premises at Rs.2,39,283/- per month. The built-up area of the suit

premises is 2,985.07 square feet and the carpet area being 2,568.70 square feet. There is no doubt to the position that the building in which the premises are located is cessed structure. Considering the contents of valuation reports, location of the building as well as its age, in my view it would be appropriate to fix the amount of interim compensation payable during pendency of the Civil Revision Application at Rs.1,15,000/- per month from the date of decree of the Appellate Court.

2 It appears that the Revision Applicants have deposited compensation at the rate of Rs.2,40,000/- per month as directed by the order dated 4 July 2023 for the period from 1 March 2023 till April 2024. The amount so deposited by the Revision Applicants shall be adjusted towards the liability of payment of interim compensation of Rs.1,15,000/- per month during pendency of the Civil Revision Application.

3 List the Civil Revision Application for final hearing on 28 June 2024.

4 In view of the order passed above, the Contempt Petition is disposed of.

(SANDEEP V. MARNE, J.)

Digitally
signed by
SUDARSHAN
RAJALINGAM
KATKAM
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