

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

INTERIM APPLICATION NO. 10003 OF 2024

WITH

INTERIM APPLICATION NO. 10002 OF 2024

IN

WRIT PETITION (ST) NO. 3449 OF 2024

Shri. Satyawan Madhukar Labde

.. Applicant

Versus

Shri. Vasant Govind Tilak (Deleted since Deceased)

Thr. LRS. Ms. Sunanda Madhavrao Vaidya and Anr.

.. Respondents

...

Mr. K. K. Vyas a/w Mr. Karan K. Vyas for Applicant.

Ms. Leena Temkar i/b Mr. Deepak Jamsandekar for Respondents.

...

CORAM : SANDEEP V. MARNE J.

DATE : 3 JULY 2024.

P.C. :-

INTERIM APPLICATION NO. 10003 OF 2024

- 1) Mentioned. Not on Board. Taken on Board.
- 2) The Interim Application is filed seeking permission for deposit of

monthly compensation of Rs.4,500/- from 21 December 2017 as per the Order passed by this Court on 25 August 2023. It is pointed out that by Order dated 25 August 2023 this Court had fixed the amount of interim compensation at Rs.4,500/- from the date of decree till final disposal of the Appeal and this Court permitted to deposit amount of Rs.50,000/- within two weeks of the date of Order and balance amount to be deposited within three months. However, before the expiry of the said period, the Appellate Bench dismissed the Appeal by Order dated 30 October 2023. The Civil Revision Application is filed challenging the decree of the Appellate Bench dated 30 October 2023.

3) Mr. Vyas the learned counsel appearing for the Applicant would submit that the Applicant is willing to deposit the entire amount of interim compensation from the date of decree i.e. 21 December 2017 till date in the Small Causes Court. He would submit that by now an amount of Rs.99,500/- has already been deposited in the Small Causes Court.

4) Accordingly, an Interim Application is disposed of by permitting the Applicant to deposit the entire amount of interim compensation at the rate of Rs.4,500/- from 21 December 2017 till July 2024 in the Small Causes Court within a period of four weeks from today. The Applicant shall continue to deposit the amount of interim compensation at the rate of Rs.4,500/- per month in the Small Causes Court from August 2024 each month. The Applicant shall also deposit the amount of monthly rent of Rs.104/- along with arrears thereof before the Small Causes Court within four weeks from today. With the above directions, Interim Application No. 10003 of 2024 is disposed of.

INTERIM APPLICATION NO. 10002 OF 2024

- 1) This Application is filed seeking a stay to a decree passed by the Trial Court and the Appellate Bench.
- 2) The learned counsel appearing for Respondent seeks time to file an Affidavit in Reply. Let, reply will be filed within a period of two weeks from today.
- 3) List the Interim Application along with Writ Petition No. 3449 of 2024 for admission on 5 August 2024.

[SANDEEP V. MARNE J.]