

Pradnya



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 ORDINARY ORIGINAL CIVIL JURISDICTION
 INTERIM APPLICATION NO. 744 OF 2024
 IN
 CONTEMPT PETITION NO. 1 OF 2022

Shaikh Riyaz Ahmed and ors.	...Applicants
<i>In the matter between</i>	
Shaikh Riyaz Ahmed and ors.	...Petitioner
<i>Versus</i>	
State of Maharashtra and ors.	...Respondents

WITH
 CONTEMPT PETITION NO. 1 OF 2022
 IN
 WRIT PETITION NO. 1369 OF 2020

Shaikh Riyaz Ahmed and ors.	...Petitioner
<i>Versus</i>	
Gazdar Properties and ors.	...Respondents

None for the Applicants.
Mr Satish Muley, a/w Mr Mosin Naik, for Respondent Nos.4, 5
 and 6 in IA/744/2024.

CORAM M.S. Sonak &
 Kamal Khata, JJ.
 DATED: 28th August 2024

PC:-

1. None for the Applicants.

2. Mr Satish Muley, learned counsel appears for the Developer.

3. Mr Muley states that the Developer will pay the arrears of transit rent to Applicant Nos.1 and 2. He states that even he has brought the necessary cheques to make payments to Applicant Nos.1 and 2. Mr Muley hands over the cheques to the Court Associate so that, they can hand over these cheques to the C.S. Department. Eventually, these cheques will have to be handed over to Applicant Nos.1 and 2 on the next date.

4. In so far as Applicant Nos.3 and 4 are concerned, Mr Mule states that their predecessor in title was entitled to the transit rents. However, he has expired and therefore, it is not for this Court, in these proceedings, to declare that Applicant Nos.3 and 4 are entitled to the transit rents.

5. Admittedly, the predecessor in title of Applicant Nos.3 and 4 was entitled to transit rents. Therefore, pending the resolution of the issue of successors, the Developer must deposit the transit rents at the rate at which they were earlier being paid to the predecessor in title of Applicant Nos.3 and 4 in this Court within six weeks from today. Mr Muley states that these rents calculated at the rate of Rs.18,000/- per month.

6. List this matter on 27th September 2024.

(Kamal Khata, J)

(M.S. Sonak, J)