



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

73 WRIT PETITION NO.10682 OF 2025

**JALGAON TALUKA SHETKARI SAHAKARI KHAREDI
VIKRI SANGH LTD JALGAON**

VERSUS

**RAVINDRA BHASKAR WANI DIED THR LRS
MEENAKSHI RAVINDRA BAVISKAR & OTHERS**

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Advocate for the Petitioner : Mr.S.P.Tiwari h/f. Mr.V.B.Patil

Advocate for Respondent nos. 1 to 5 : Mr.S.S.Bora

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CORAM : ARUN R. PEDNEKER, J.

DATE : 24.11.2025

P.C. :

1] By the present Writ Petition, the petitioner challenges the impugned order dated 3rd July, 2025 passed by the District Judge-1, Jalgaon in Regular Civil Appeal No.34/2024 below Exh.13.

2] Undisputedly, the petitioner is the tenant and the petitioner has filed Regular Civil Appeal No.34/2024 before the District Court at Jalgaon, challenging the judgment and decree dated 14.03.2024 of eviction passed by the 3rd Joint Civil Judge Junior Division, Jalgaon in RCS

No.211/2016. Along with Appeal, the petitioner has also filed an application, seeking stay to the execution and operation of the judgment and decree dated 14.03.2024 passed in RCS No.211/2016. The Appellate Court while granting stay has directed the present petitioner to deposit costs of the proceedings within one month before the trial Court and also to pay interim compensation amount of Rs.15,000/- per month. Being aggrieved by the said order, the present writ petition is filed.

3] The learned counsel for the petitioner submits that the interim compensation of Rs.15,000/- per month granted by the Appellate Court is excessive, as such, the impugned order passed by the Appellate Court is illegal.

4] *Per contra*, the learned counsel for the respondents submits that the compensation of Rs.15,000/- per month granted by the Appellate Court is lesser compensation as the suit property is a commercial property and the same is situated in the heart of the Jalgaon City. The learned counsel of the respondent relies upon the

judgment of the Hon'ble Supreme Court in the case of **Atma Ram Properties [P] Ltd. Vs. Federal Motors Pvt. Ltd.** reported in **2005 (3) BomCR 274** and submits that the Appellate Court can grant compensation at a market rate towards the premises occupied.

5] No material placed before me showing that the interim compensation granted by the Appellate Court is excessive. Considering the rented premises being commercial in heart of Jalgaon City, no case is made out for interference. The Writ Petition is dismissed.

[ARUN R. PEDNEKER]
JUDGE

DDC