

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

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**INTERIM APPLICATION NO.3465 OF 2025
IN
FIRST APPEAL NO.119 OF 2013**

Maniben Devji Gala (since deceased) & Ors.Applicants

In the matter between

Rajavi wd/o Gopal Shetty & Ors.
....appellantss

V/s.

Maniben Devji Gala (since deceased) & Ors.Respondents

Mr. Shreepad Murthy a/w Mr. Abhishek Patil for the appellants.

Mr. Rajesh Kachare a/w Mr. Santosh M. Suryawanshi for the respondents/applicants.

**CORAM : JITENDRA JAIN, J.
DATED : 1st December 2025**

P.C. :

1. This interim application is taken out by the applicant/original plaintiffs seeking modification of the order dated 15 February 2013 by which the appellants/original defendants was directed to deposit Rs.15,000/- per month for use of the suit premises in this Court.
2. By the passage of time, we are today in the year 2025 i.e. 12 years from the date of the order by which Rs.15,000/- was directed to be deposited.
3. The application is taken out for enhancement of the aforesaid amount for the reasons stated in the application. The applicant/original

plaintiffs requests that atleast Rs.1,00,000/- should be directed to be deposited.

4. The Court deems fit that rather than going into the justification by both the parties, the interest of justice would be met, if an *ad hoc* amount of Rs.60,000/- per month is directed to be paid in this Court. Therefore, the order dated 15 February 2013 stands modified by directing the appellants/original defendants to deposit Rs.60,000/- per month from 1 December 2025. The compensation of Rs.60,000/- for the month of December will be deposited on 1 January 2025. Likewise, the appellants/original defendants will keep on paying by the tenth of every month for the use of premises for the previous month.

5. Liberty to the parties to make application in the month of January for fixing the date of hearing.

6. The original plaintiffs/respondents to make application for withdrawal of this said amount since by earlier order, they were permitted to withdraw Rs.15,000/- and by this order the said figure is replaced by Rs.60,000/-.

7. Interim application is disposed of in above terms.

(JITENDRA JAIN, J.)