

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 14909 OF 2024
IN
WRIT PETITION NO. 739 OF 2004

Gajanan Moreshwar Omkar (since deceased ...Applicants
through legal heirs and ors.

SNEHA
NITIN
CHAVAN

Digitally signed by
SNEHA NITIN
CHAVAN
Date: 2025.11.28
18:24:44 +0530

IN THE MATTER BETWEEN

Kusum Sudhakar Inamdar

...Petitioner

Versus

Gajanan Moreshwar Omkar (since deceased
through legal heirs and ors.

...Respondents

Ms. Sangeeta Vaidya for the Applicants/Respondents.
None for Ori. Petitioner.

CORAM : M.M. SATHAYE, J.
DATE : 28th NOVEMBER, 2025

P.C. :

1. On 13.11.2025, following order was passed :

“1. Heard learned counsel for the Respondent/landlord who have taken out this Application for interim compensation, considering that the decree of eviction is stayed and the Petitioner/tenant is occupying the suit premises. In paragraph 8 of the application, it is stated that even the contractual rent of Rs.375/- per month has not been deposited regularly by the tenant.

2. Learned counsel holding for Mr. Dhruvad Patil, appearing for the original Petitioner/Tenant informed that the Petitioner has taken away case papers for engaging another lawyer. He

seeks discharge from the case.

3. Stand over to 28.11.2025.

4. Advocate for the Respondents to give notice of next date to the Petitioner along with copy of this order.

5. It is clarified that if the Petitioner does not appear on the next date, and explain as to why the rent is not deposited during the period of pendency of the Petition, the interim stay shall be vacated.”

2. Learned Counsel for the Applicant (Respondent in Writ Petition) has placed on record an affidavit of service with postal tracking report, indicating that the notice of today’s hearing along with earlier order copy is served upon the Petitioner in Writ Petition. An affidavit of service is taken on record and marked ‘X’ for identification.

3. In view of earlier order and non-appearance for the Petitioner despite specific notice, interim relief granted earlier in the Writ Petition, stands vacated.

(M.M. SATHAYE, J.)