

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.278 OF 2025

Satish Yashwant Mane

...Applicant

Versus

M/s Suru Consultants Pvt. Ltd. & Ors.

...Respondents

Mr. P.V. Dhopatkar a/w R.A. Dubey, Advocate for Applicant.

Mr. Sadanand Badiya Higde, C.A. of Applicant.

Mr. Chetan R. Yadav a/w Ms. Sneha Ramnathan i/by R.V. & Co. for Respondent No.1.

CORAM: MADHAV J. JAMDAR, J.

DATED : 7th October 2025

P.C.:

1. This case reiterates what the Privy Counsel has said about 150 years back that the difficulties of a litigant in India starts after getting decree in his favour¹.

2. In this particular case, eviction suit has been filed in the year 2009. The said Suit was initially dismissed and the learned Appellate Court allowed the Appeal and passed eviction decree by the Judgment and Decree dated 11th January 2018. The said Decree has been confirmed by a learned Single Judge of this Court by Order dated 8th March 2018 passed in Civil Revision Application

1 1872 SCC OnLine PC 16

No.101 of 2018. The said Order is challenged before the Supreme Court and the Supreme Court has dismissed the Special Leave Petition by Order dated 1st May 2018.

3. It is significant to note that the learned Single Judge while dismissing Civil Revision Application by Order dated 8th March 2018, granted time of six weeks to the Applicant- Mrs. Rajnigandha alias Rita Singh to vacate the suit premises. Although the Supreme Court dismissed the SLP, six months time in addition to the time granted by the High Court was granted to deliver the vacant possession of the suit premises to said Mrs. Rajnigandha alias Rita Singh.

4. It is very shocking to note that the learned Single Judge, while granting six weeks time to the said Applicant-Mrs. Rajnigandha alias Rita Singh by said Order dated 8th March 2018 has recorded that she is in possession of the suit premises and nobody else is in possession of the suit premises. However, thereafter the present Applicant- Satish Yashwant Mane filed Obstructionist Proceedings claiming that he is in possession of the suit premises. The said Obstructionist Proceedings are dismissed.

The Appeal challenging the same is already dismissed. Both these Orders are challenged by filing the present Civil Revision Application.

5. Mr. Dhopatkar, learned Counsel for the Applicant after arguing the matter for some time, seeks withdrawal of the Civil Revision Application. However, he submits, on instructions, that six months time be granted to the Applicant to vacate the suit premises.

6. It is required to be noted that although the present Civil Revision Application has been filed by the Applicant- Satish Yashwant Mane, however, the same is filed through his constituted attorney Mr. Sadanand Badiya Higde. The said power of attorney executed by Mr. Satish Yashwant Mane is annexed as Exhibit-A, pages 23 to 34 of the Civil Revision Application. The said power of attorney executed by Mr. Satish Mane records that the said Mr. Sadanand Badiya Higde is also residing in the suit premises along with said Satish Mane.

7. As the Applicant is withdrawing the Civil Revision Application, and ready to vacate the suit premises within a period of six months, the said request can be granted. However, in the facts and circumstances, as noted hereinabove, the Court Receiver, High Court, Bombay is required to be appointed as it is noticed that even the constituted attorney of the Applicant is also staying alongwith the Applicant.

8. Accordingly, by consent of the parties, following Order is passed :

(i) The Civil Revision Application is allowed to be withdrawn and dismissed as such.

(ii) The Court Receiver, High Court, Bombay shall stand appointed forthwith with respect to the suit premises with all the powers.

(iii) The Court Receiver shall take immediate possession of the suit premises and appoint both Mr. Satish Yashwant Mane and Mr. Sadanand Badiya Higde, C.A. of Applicant, as his Agents.

(iv) The Applicant shall deposit with the Court Receiver an amount of Rs.50,000/- as Court Receiver charges and an amount of Rs.20,000/- per month shall be deposited as occupation charges with the Court Receiver.

(v) The Applicant is granted time till 31st March 2026 to vacate the suit premises. If the Applicant fails to vacate the suit premises on or before 31st March 2026, then the Court Receiver shall forthwith remove said Satish Yashwant Mane and Sadanand Badiya Higde, and/or their family members and or any person who is found in possession of the suit premises and shall handover the same to the Respondent No.1- original Plaintiff.

(vi) It is further made clear that if the said amount of Rs.20,000/- per month is not deposited, with the Court Receiver then also, the Court Receiver shall take immediate possession from any person or persons who is, found in possession of the suit premises, and handover the suit premises to the Respondent No.1.

(vii) The Court Receiver is permitted to take Police protection, if necessary.

(viii) The Court Receiver shall after deducting the necessary charges pay the balance amount to the Respondent No.1.

9. The Civil Revision Application is allowed to be withdrawn and dismissed as such subject to above.

(MADHAV J. JAMDAR, J.)

BHALCHANDRA
GOPAL
DUSANE

Digitally signed by
BHALCHANDRA
GOPAL DUSANE
Date: 2025.10.14
20:53:16 +0530