

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.7350 OF 2025
IN
WRIT PETITION NO.18479 OF 2024

Snehalata Devi Ghorpade

(Deleted as died) & Ors.

...Applicants

IN THE MATTER BETWEEN:

Snehalata Devi Ghorpade

(Deleted as died) & Ors.

...Petitioners

Versus

Needle Roller Bearing Co. Ltd. & Ors.

...Respondents

Mr. J. K. Shah a/w Ms. Namrata Thakur a/w Ms. Sneha Pawar i/b RJ
Law, for the Applicants / Petitioners.

Ms. Asha M. Bhambwani, for the Respondents.

CORAM: MADHAV J. JAMDAR, J.

DATED: 16th APRIL 2025

P.C.:

1. Heard Mr. Shah, learned Counsel appearing for the Applicants /
Petitioners and Ms. Bhambwani, learned Counsel appearing for the
Respondents.

2. By an order dated 12th December 2024, passed by a learned
Single Judge in Writ Petition No.18479 of 2024, order dated 16th
October 2024, passed by the Appellate Bench of the Small Causes Court,
Mumbai was modified to the limited extent of reduction of quantum of
interim compensation from Rs.8,00,000/- per month to Rs.5,00,000/-
per month. By said order dated 12th December 2024, the Petitioners /
Defendants were directed to clear arrears of interim compensation from

28th February 2024 up to 31st March 2025, on or before 31st March 2025.

3. As some time was required by the Applicants for deposit of said amount, Interim Application No.6822 of 2025 has been filed seeking extension of said period up to 30th April 2025. By Order dated 1st April 2025, passed by this Court the said time granted by the learned Single Judge up to 31st March 2025, is extended till 16th April 2025, as a last chance.

4. It is required to be noted that the suit premises are huge premise of 3527 sq. ft. at Pedder Road, Mumbai which is very prime locality of Mumbai. In fact the learned Appellate Court of Small Causes Court, Mumbai has fixed the compensation of Rs.8,00,000/- per month as per the Order dated 16th October 2024, which amount was reduced to Rs.5,00,000/- per month by the learned Single Judge by the Order dated 12th December 2024, with further direction to pay the arrears from 28th February 2024 up to 31st March 2025, on or before 31st March 2025. It is very clear that, the Applicants were aware from October 2024, that the Applicants have to pay the said amount. Thus, the Applicants could have paid the said arrears within the time limit as granted by a learned Single Judge by Order dated 12th December 2024. By Order dated 1st April 2025, the said time was extended till 16th April 2025, as a last chance.

5. It is also required to be noted that in the Interim Application No.6822 of 2025 relief was sought to extend the said period up to 30th April 2025 and this Court has granted time till 16th April 2025, as a last chance. In the present Interim Application No.7350 of 2025 prayer is made that Rs.25,00,000/- will be deposited immediately and for balance amount of Rs.42,09,131/- time is sought till 16th May 2025 i.e. the time sought is even more than what is sought in earlier Interim Application No.6822 of 2025. Thus, it is clear that the Application filed is not bonafide Application.

6. Accordingly, the Interim Application is dismissed.

[MADHAV J. JAMDAR, J.]