



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.551/2025

M. G. Shadid s/o Abdul Kadar .Vs. The New Cotton Ginning & Pressing Company,
Akot through Chairman and Managing Director, Shri Narendra Vasantrao Joat

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P. B. Patil, Advocate for petitioner.
Dr. Mrs. R. S. Sirpurkar, Advocate for respondent.

CORAM : ANIL L. PANSARE, J.

DATE : JULY 10, 2025

Heard.

2. Challenge is to the order of compensation passed by First Appellate Court, which directed the petitioner-appellant to deposit Rs.15,18,750/- in the Court, pending appeal.

3. The suit filed by respondent – landlord was decreed. The petitioner challenged the decree before the First Appellate Court, which, while granting stay to the decree, directed to deposit Rs.60,756/- per annum as compensation for the premises admeasuring 1250 Sq. Ft. situated at Akot. The Court further directed the petitioner to deposit arrears of compensation which is to the tune of Rs.15,18,750/-. This Court, while issuing notice directed the petitioner to deposit Rs.7,50,000/-, which the petitioner has deposited.

4. Counsel for the petitioner submits that the appeal is fixed for final hearing on 22.07.2025. He further submits that the petitioner assures to argue the case on that day and thus the final result could be obtained.

5. Counsel for the respondent opposed the request on the ground that the petitioner may not argue the matter on that day and may further delay the proceedings. She further submits that the

petitioner should be directed to deposit entire amount of compensation as ordered by the First Appellate Court.

6. To my mind, if the petitioner has assured to argue the appeal on 22.07.2025, there appears no reason to doubt such statement. The same is taken as an undertaking given by the petitioner to this Court. The petitioner has already deposited Rs.7,50,000/-. Thus, substantial amount has been already secured. It will be advantageous to the parties to have final decision in appeal.

7. In view of above, the petition is disposed of with an understanding that parties shall appear before the First Appellate Court on 22.07.2025 and shall argue the appeal finally. The First Appellate Court is at liberty to put the parties to appropriate conditions/costs, if adjournment is sought.

8. The amount deposited by the petitioner before this Court shall be transferred to the First Appellate Court for passing appropriate orders, once the appeal is decided.

8. The writ petition is disposed of. Pending application does not survive and stands disposed of. No order as to costs.

(Anil L. Pansare, J.)