IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.132 OF 2026

SONALI MILIND PATIL

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Madhav Vinayak Prani
since deceased through legal heirs
Mangal Madhav Prani & Ors. …Petitioners

Versus

Akhil Deshastha Rigwedi Brahman Madhyawarti Mandal, Mumbai & Ors. …Respondents

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Mandar Bangale a/w. Ms. Zahra Boty i/b. Bangale and Associates, for the Petitioners.
Mr. R. M. Haridas i/b. Mr. Nikhil M. Pujari, for the Respondents.

CORAM: MADHAV J. JAMDAR, J.
DATED : 8th JANUARY 2026

PC:-

1. Heard Mr. Bangale, learned Counsel appearing for the Petitioners and Mr. Haridas, learned Counsel appearing for the Respondents.

2. By the present Writ Petition filed under Article 227 of the Constitution of the India, the challenge is to the legality and validity of the order dated 5th December 2025 passed by the learned Appellate Bench of the Small Causes Court, Mumbai below Exhibit 12 in Appeal No.131 of 2024 in R.A.E. Suit No.1 of 2015.

By the impugned order the learned Appellate Court has granted stay to the eviction decree on the condition that Appellants shall deposit Rs.30,000/- per month as interim compensation.

3. After arguing the matter for considerable time, both the learned Counsel submit that by consent, the impugned order dated 5th December 2025 be modified by directing that instead of interim compensation of Rs.30,000/- per month, the interim compensation will be Rs.25,000/- per month. Accordingly, the following order is passed by consent of the parties:

ORDER

(a) The impugned order dated 5th December 2025 passed by the learned Appellate Bench of the Small Causes Court, Mumbai below Exhibit 12 in Appeal No.131 of 2024 in R.A.E. Suit No.1 of 2015 is confirmed, subject to modification that instead of interim compensation of Rs.30,000/- per month, by consent interim compensation is fixed at the rate of Rs.25,000/- per month.

(b) No further modification is required in the impugned order.

(c) The Petitioners are granted time till 15th February 2026 to deposit the arrears.

4. Accordingly, the Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]