



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.489 OF 2026

Ujwala Mahesh Jadhav

...Petitioner

V/s.

Vaishali W/o. Pratik Bhanushali

...Respondent

Mr. P.M. Havnur *with Mr. S.S. Kharat for the Petitioner.*

Mr. K.H. Holambe Patil *with Mr. K.K. Holambe Patil, Mr. Bhalchandra Kumbhar and Mr. Kundlik Pachanghe for the Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATED: 17 MARCH 2026.

P.C.:

- 1) The Petition challenges order dated 18 August 2025 passed by the Appellate Bench of the Small Causes Court fixing the interim compensation in respect of the suit property @Rs.14,000/- per month and directing the Petitioner to deposit the same from the date of eviction decree as a pre-condition for grant of stay.
- 2) I have heard Mr. Havnur, the learned counsel appearing for the Petitioner and Mr. Holambe Patil, the learned counsel appearing for the Respondent and have considered the submissions canvassed by them.
- 3) It appears that the Respondent-landlord did not produce any valuation report indicating the possible rental income in respect of the

suit property. In absence of any valuation report the Appellate Court has considered admission given by the Petitioner about prevailing rent in the locality of Rs.14,000/-.

4) Mr. Havnur submits that the suit premises are located in a chawl and therefore it cannot fetch market rent of Rs.14,000/-. He submits that admission given by the Petitioner in respect of the prevailing market rent is in respect of other buildings in the locality.

5) Considering the position that the suit property is located in a chawl, coupled with the fact that the Respondent has not filed any valuation report indicating rental income, in my view the amount of interim compensation fixed by the Appellate Court deserves to be reduced to some extent. Petitioner has apparently separated from her husband and is dependent on maintenance amount paid by her husband. This is yet another reason why there needs to be a slight reduction in the amount of interim compensation.

6) Amount of interim compensation fixed by order dated 18 August 2025 is modified and reduced to Rs.10,000/- per month. Rest of the order dated 18 August 2025 shall continue to remain in force.

7) With the above directions, Petition is partly allowed and **disposed of**.

[SANDEEP V. MARNE, J.]