

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 12623 OF 2025
IN
CIVIL REVISION APPLICATION NO. 916 OF 2010

ANAND
SUDHAKAR
SUDAME

Khar Gymkhana through its Secretary

..Applicant/
Ori. Respondent

IN THE MATTER BETWEEN

Balkrishna Sakharam Patne (since deceased)
through legal heirs & ors.

..Ori. Applicants

Digitally signed
by ANAND
SUDHAKAR
SUDAME

Versus

Khar Gymkhana through its Secretary

..Ori. Respondent

Date: 2026.02.12
19:09:01 +0530

WITH
IA 649 OF 2026
IN
CRA 916 OF 2010

Mr. Zaid Ansari, Advocate, for the Applicant
Mr. Samir A. Vaidya a/w. Mr. Aditya Parmar, Ms. Zainab Khan &
Ms. Chandrani Gore, Advocates, for the Respondents

CORAM : RAJESH S. PATIL, J.

DATE : 06.02.2026

P. C.

INTERIM APPLICATION NO. 12623 OF 2025

1. This Interim Application is filed by the landlord seeking a relief of expediting the hearing of the Civil Revision Application filed by the tenant as well as for the further relief that the Applicant should make payment of Rs.1,00,000/- per month towards compensation for use and occupation of the suit premises.

2. The Civil Revision Application has been admitted on 16.02.2010.
3. The proceeding arises out of the declaratory suit filed in Small Causes Court. The said suit and the Appeal preferred have been dismissed.
4. The Supreme Court in the Judgment of *Atma Ram Properties (P) Ltd. vs. Federal Motors (P) Ltd.*, reported in *(2005) 1 SCC 705* held that if the tenant challenges eviction decree, while seeking stay to the eviction decree, he should be put to term of depositing market rent of suit premises from the date of decree. In the present proceeding, there is no eviction decree passed against the Respondent – Original Applicant in CRA.
5. In view of the same, the Interim Application **stands dismissed**.

INTERIM APPLICATION NO. 649 OF 2026

1. This Interim Application is filed for impleading the Applicant one Mr. Venkataraman Ramamirtham Iyer as party to the present proceeding which is between the landlord and the tenant.
2. None appears for the Applicant when the matter is called out.
3. The Interim Application **stands dismissed for non-prosecution**.
4. Place the Civil Revision Application No. 916 of 2010 on **04.03.2026**.

(RAJESH S. PATIL, J.)