



Pallavi

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.241 OF 2023  
WITH  
INTERIM APPLICATION NO.4676 OF 2023

The Municipal Corporation of  
Greater Mumbai and Anr. ...Applicant  
Versus  
Smt. Kaiful Abdul Rauf ...Respondent

- Mr. Drupad Patil i/b. Ravindra Y. Sirsikar, for the Applicant.
- Ms. Ziyad Madon i/b. Ms. Shabnam Latiwala, for the Respondent.
- Ms. Nasreen Khan, A.O. SE 'E' Ward, present.

CORAM : MADHAV J. JAMDAR, J.  
DATE : 4<sup>th</sup> JULY, 2023

P.C.:

1. Heard Mr. Drupad Patil, learned counsel appearing for the Applicant and Mr. Ziyad Madon, learned counsel appearing for the Respondent.
2. Arguable questions are raised. Hence, Rule.
3. In the meanwhile, ad-interim relief in terms of prayer clause (c).
4. However, till this Court determines the fair and reasonable compensation which the Applicant be directed to deposit in the Court during the pendency of the Civil Revision Application, in terms of the law laid down in the case of *Atmaram Properties (P) Ltd. Vs. Federal*



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2026:BHC-AS:21337

*Motors (P) Ltd.*<sup>1</sup>, the ad-hoc compensation of Rs.2,40,000/- is fixed as the suit premises are around 3,000 sq.ft. carpet area. The said ad-hoc compensation be deposited at the rate of Rs.2,40,000/- w.e.f. 1<sup>st</sup> March 2023. Said compensation be deposited before the Small Causes Court, Mumbai till further orders on or before 10<sup>th</sup> of each month. The compensation for the period of 1<sup>st</sup> March 2023 till 31<sup>st</sup> July 2023 be deposited on or before 5<sup>th</sup> August 2023. Both the Applicant and the Respondent are at liberty to file valuation report and other material for the purpose of fixing the reasonable and fair compensation which the Applicant can be directed to deposit before the Small Causes Court.

5. As interim relief is already prayed in the Civil Revision Application, Mr. Patil, learned counsel appearing for the Applicant seeks withdrawal of Interim Application No.4676 of 2023 seeking prayer of stay. Accordingly, Interim Application is disposed of as withdrawn.

6. Stand over to **22<sup>nd</sup> August 2023.**

[MADHAV J. JAMDAR, J.]

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<sup>1</sup> (2005) 1 SCC 705