

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10276 OF 2025
IN
CIVIL REVISION APPLICATION NO. 354 OF 2010

Smt Vandana w/o late Dattaram Dadu Bhogale ...Applicant

SNEHA
NITIN
CHAVAN

In the matter between:

Shri Babaji Sahadev Kesarkar ...Rev. Applicant

Versus

Smt. Vandana w/o late Dattaram Dadu Bhogale ...Respondent

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by SNEHA
NITIN CHAVAN
Date: 2025.12.19
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Mr. R. A. Yadav for the Applicant.

Ms. Aditi Naikar i/b Pradeep Thorat for Respondent/ Ori. Rev.
Applicant.

CORAM : M.M. SATHAYE, J.
DATE : 19th DECEMBER, 2025

P.C. :

1. Heard learned Counsel for the Applicant (Respondent in CRA).
2. This is an application for permission to withdraw the amount deposited by the Revision Applicant in this Court pursuant to the order of this Court dated 30.03.2017.
3. Learned Counsel for the Rev. Applicant seeks adjournment on the ground that arguing counsel is busy and reply needs to be filed.
4. Application is filed in July 2025. No reply is filed till today. This is a landlord-tenant dispute. There are concurrent findings in favour of Applicant/landlord on the ground of bona fide requirement. Eviction decree is stayed by this Court since June 2010.

5. In the aforesaid facts and circumstances, and further considering the nature of dispute and the nature of suit premises, which is a room in a chawl, **for the time being**, the Applicant is permitted to withdraw 50% of the amount deposited in this Court, alongwith accrued interest, on filing an undertaking in this Court that the withdrawn amount shall be subject to final outcome of the revision application and Applicant will bring back the money in the Court with interest as may be directed by the Court.

6. Stand over to 23.01.2026.

7. Reply, if any, to be filed before next date with its copy to be served on other side.

8. Request for withdrawal of remaining amount shall be considered on the next date.

(M.M. SATHAYE, J.)