

MHSCA30000522012



IN THE COURT OF SMALL CAUSES AT MUMBAI
(BANDRA BRANCH)

ORDER BELOW EXHIBIT NO. 77

IN

R. A. E. & R. SUIT NO. 526/794 OF 2011

Smt. Anandi wd/o Vishwanath Banjan ...Plaintiff

V/s.

1. Mrs. Carmin Peter Saldana & Anr. ...Defendants

Mrs. V. K. Gupta, Advocate for Plaintiff.

Mr. Sunil C. Dubey, Advocate for Defendants.

Coram : Shrikrishna H. Inamdar,
Judge, Court Room No.33
Date : 04th August, 2025

ORDER

Defendants asked permission to carry out tenantable repairs in the suit premises as mentioned in para Nos.4(a) and 4(l) of application. Plaintiff strongly opposed for the same.

2. It is stated by plaintiff that suit premises is locked and unused. Said repairs are occurred due to non-maintenance and non-use of the suit premises. If defendants are carrying said repairs at their entire cost and expenses then irrespective of final outcome of the present suit, then plaintiff has no objection for it.

3. Heard learned Advocate Mr. S. C. Dubey, for defendants and learned Advocate Mrs. V. K. Gupta, for plaintiff. Perused application and reply.

4. Defendants are ready to carry out repairs of the suit premises as stated in para Nos.4(a) and 4(l) of the application at their own cost and expenses. Plaintiff stated that said repairs are occurred due to non-user and non-maintenance of the suit premises by defendants. However, for proper use of the suit premises, it is necessary to grant permission for carrying out the repairs. If said permission is granted, no prejudice will cause to other side. Therefore, I pass following order :

ORDER

1.	Defendants are permitted to carry out the repairs as mentioned in para No.4(a) to 4(l) at their own cost within three months from the date of this order.
2.	Plaintiff is directed not to interfere or obstruct the defendants and his contractor, etc. while carrying out above mentioned the repair work.
3.	Suit is pending since long. Both parties are directed to proceed with the suit for its early disposal.

(Dictated and pronounced in open Court.)

(Shrikrishna H. Inamdar)
Judge, C. R. No.33

Date : 04.08.2025

Dictated on : 04.08.2025
Checked & signed on : 04.08.2025