

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

**ORDER BELOW EXHIBIT 15
IN
R.A.E. SUIT NO.180 OF 2019
(CNR : MHSCA3-000430-2019)**

Shri. Vinay Ashok Dwivedi	... Plaintiff
V/s	
Mr. Harish Basdeo Satija	... Defendant

**Coram : D. P. Kasat,
Judge, C.R.No.37 (B.B.),
Date : 18.09.2023**

ORAL ORDER :

This is an application filed by defendant for depositing of rent.

2. The plaintiff has filed reply on the overleaf of application.

3. Heard learned advocate for defendant. Plaintiff did not appear for arguments despite ample opportunity. Perused record.

4. At the outset, as per Section 15(3) of the Maharashtra Rent Control Act, 1999, if within 90 days, defendant pays and ready to pay rent in the court, then application has to be allowed. From the record, it shows that summons of the suit served on the defendant on 11.09.2019. Application for depositing of rent has been made on 14.07.2023 which is not within 90 days as per Section 15(3) of Maharashtra Rent Control Act, 1999.

5. However, by this application, the defendant is ready and willing to deposit monthly rent in respect of suit premises. If

application is allowed, no harm or prejudice will be caused to plaintiff. Considering the ready and willingness of the defendant, without prejudice to the rights and liabilities of the parties, present application needs to be allowed. Hence, the following order :

ORDER

1. Application is allowed without prejudice to the rights and liabilities of the parties.
2. Defendant is permitted to deposit rent alongwith 15% interest per annum from January, 2019 to December, 2023 within a period of one month from the date of this order, as prayed.
3. Defendant is permitted to deposit further quarterly rent until final disposal of the suit on or before 10th day of last month of every quarter, as prayed.
4. Plaintiff is at liberty to withdraw the amount deposited by defendant.

(D. P. Kasat)
Judge, C.R.No.37 (B.B.)
18.09.2023

Dictated on : 18.09.2023
Checked & signed on : 18.09.2023