

Nivriddi Dada Patil

Vs

Vasant Talkies and Others

Civil Appeal No. 1292 of 1969

(CJI Y. V. Chandrachud, D. A. Desai, E. S. Venkatramiah JJ)

18.03.1980

ORDER

1. In view of the affidavits filed by the legal representatives of the deceased respondent 2 (Sopan Khanderao Raikar), stating that they have no objection to the execution of the sale deed by the appellant in respect of the suit premises in favour of Laxman Tulsiram Kudale in pursuance of the compromise between the parties, we direct that the respondent shall forthwith hand over the draft for the full amount to Dr. Chitale, who appears on behalf of the appellant and that in consideration thereof a sale deed shall be executed in favour of Laxman Tulsiram Kundale. (We note that the draft has been delivered by Mr R.B. Datar to Dr. Chitale.)

2. All that remains to be done in the execution application is the payment of rent up to date. We direct the executing court to determine the amount of arrears of rent, if any. The purchaser will pay the amount within four weeks from the date of such determination. The sale deed shall be executed within four weeks from the date of encashment of the draft handed over today to Dr. Chitale.

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