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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.823 OF 2025**

Sitalaxmi Krishna Kanchan & Ors. ...Petitioners

Versus

Sanjay Yashwant Mhatre ...Respondent

Mr. M. V. Holamagi, *for the Petitioners.*

Ms. Vandana V. Margwana, *for the Respondent.*

CORAM ARUN R. PEDNEKER, J.

DATED: 10th JULY 2026

PC:-

- 1.** The learned counsel for the Petitioners files an Affidavit-in-Rejoinder. The same is taken on record.
- 2.** Heard the learned counsel for the Petitioners. The learned counsel submits that the Plaintiff has not recognized the Petitioners as tenants of the suit premises, and therefore, the Suit is not maintainable before the Small Causes Court, Mumbai under the Maharashtra Rent Control Act, 1999.
- 3.** Both the Courts below have observed that the Plaintiff has recognized the Petitioners as tenants of the suit premises. The same is reflected from the plaint itself and the averments contained in the plaint. The Suit is filed under the Rent

Control Act for eviction from suit premises on the ground of bona fide requirement and on the ground that the Petitioners have not been residing in the premises for the last 12 years.

4. Both the grounds being raised under the Rent Control Act and in view of the prima facie findings recorded by both the Courts below, no case is made out to contend that the suit is not maintainable before the Small Causes Court under the Maharashtra Rent Control Act.

5. Accordingly, the Writ Petition stands dismissed.

(ARUN R. PEDNEKER, J.)