IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.16 OF 2026
WITH
INTERIM APPLICATION NO.52 OF 2026

Lata Dadabhau Ponde ... Appellant
versus
Rahul Karbhari Pingale and Ors. … Respondents

Mr. Uday B. Nighot, for Appellant.
Mr. B.H.Goswami, for Respondents.

CORAM: N.J.JAMADAR, J.

DATE : 17 JUNE 2026

ORAL ORDER :

1. Heard the learned Counsel for the parties.

2. This Second Appeal is directed against the judgment and decree dated 15 September 2025 passed by the learned Principal District Judge in RCA No.95 of 2025, whereby the appeal preferred by the Appellant – original Defendant No.1 against the judgment and decree passed by the trial Court in RCS No.2050 of 2012 thereby directing the Defendant to deliver clear and vacant possession of the shop premises admeasuring 12.19, City Survey No.346, mauje Naupada, Dist. Thane, came to be dismissed.

3. Respondent No.1 – Plaintiff is the owner of the suit premises. The Appellant – Defendant No.1 claimed to have come in possession of the suit premises pursuant to a leave and licence agreement executed by Pannadevi

Shyamsunder Khandelwal, who was the partner of M/s. Poorna Warehousing Corporation, the lessee of the suit premises, for a term of three years commencing from 1 October 2001.

4. Incontrovertibly, the term of the licence had expired. Defendant No.1 took mutually destructive pleas to hold on to the licenced premises.

5. The Courts below, upon appreciation of evidence, have negatived the claim of the Appellant to hold on to the licenced premises after the expiry of the term of the licence. Myriad defences, which were inconsistent with each other, were found to be unworthy of acceptance.

6. Since the term of licence has expired and the Appellant has no semblance of right to hold on to the suit premises, the Courts below were justified in passing the decree for eviction.

7. No question of law, much less a substantial question of law, arises for consideration.

8. The Second Appeal, thus, stands dismissed.

9. In view of the dismissal of the Second Appeal, Interim Application No.52 of 2026 also stands dismissed.

(N.J.JAMADAR, J.)

Signed by: S.S.Phadke
Designation: PS To Honourable Judge
Date: 18/06/2026 11:54:23