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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 60 OF 2015
WITH
CIVIL APPLICATION NO. 124 OF 2015**

Mrs. Sangita Sunil Danane ... Appellant

Versus

Swapnil Satish Bhosale and Ors. ... Respondents

Mr. A.M. Kulkarni for the appellant.

Mr. Ramdas Shelke for respondent nos. 1 and 2.

**CORAM : Smt. R.P.SondurBaldota, J.
DATED : January 27, 2015**

P.C.

The second appeal is preferred against the concurrent findings of the courts below as regards the relationship of the landlord and tenant between the parties as claimed by the appellant. The respondents had filed suit for possession of the suit premises on the ground that the appellant has no right to occupy the same in view of the death of the licensor who had, by the agreement dated 14th May, 1997 given the premises on live and license basis to the appellant for the period of 11 months. The courts below noted that the issue of relationship between the parties has been decided by the courts in earlier litigation between the parties by holding that the appellants are not the tenants in respect of the suit premises. The courts below had referred to the judgment in Regular Civil Suit No. 178 of 2000 and Civil Revision Application No. 1 of 2005 arising therefrom. Resultantly, the claim of the tenancy could not be once again raised by the appellant. The same

being barred by res judicata. The view taken is the correct view and hence, the Second Appeal is dismissed.

Mr.Kulkarni, requests for extension of the ad interim order. Considering the facts and circumstances of the case, request is rejected.

In view of the disposal of second appeal, Civil Application does not survive and the same is disposed of accordingly.

(SMT R.P. SondurBaldota,J.)