

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7157 OF 2015

Prabodh Prakash Shenai	..	Petitioner
vs.		
Haridas B. Kakade	..	Respondent

Dr. Prakash R. Shenai - C.A. of Petitioner present.
Mr. R. G. Singh i/b. Legal Liaisons for Respondent.

CORAM : M. S. SONAK, J.
DATE : 24 AUGUST 2015

P.C. :-

1] Heard the C.A. of the petitioner and Mr. R. G. Singh for Respondent.

2] In this petition, the petitioner seeks a stay on further proceedings in application no. 20 of 2014 instituted under Section 24 of the Maharashtra Rent Control Act, 1999 (Rent Act) by the respondent, *inter alia* on the ground that the petitioner has prior to institution of application no. 20 of 2014 by the respondent, instituted RAD Suit No. 120 of 2014 before the Small Causes Court.

3] The petitioner, does not appear to have made any application before the Competent Authority which is seized of application no. 20 of 2014 seeking stay on proceedings. Accordingly, it is not possible to entertain the present petition, at this stage.

4] The petitioner is however at liberty to file application for stay before the Competent Authority which is seized of application no. 20 of 2014. The petitioner states that such application will be filed within two weeks from today and advance copy of the same will be furnished upon the respondent or the Advocate for the respondent. If such an application is filed, the Competent Authority to consider the same in accordance with law and on its own merits.

5] It is made clear that this Court has not examined the merits of the matter and accordingly, all contentions of all parties are kept specifically open.

6] This writ petition is disposed of with the aforesaid order.

7] All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)