

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO.479 OF 2015

Adam Hasan Bagwan : Applicant.
Versus
Rajkumar Baichand Gandhi (Dead)
(His Legal Heirs are as follows)
Bhartesh Rajkumar Gandhi and ors. : Respondents.

Mr. Mahesh Rawool i/by Mr. K P Shah for the Applicant.

CORAM : R. M. SAVANT, J.
DATE : 07th January 2016

P.C.

1 The revisionary jurisdiction of this Court is invoked against the order dated 06/01/2015 passed by the learned Additional District Judge, Malshiras Dist. Solapur by which order the Appeal being Civil Appeal No.46 of 2012 filed by the Petitioner came to be dismissed and resultantly the order dated 31/07/2012 passed by the Trial Court rejecting the Civil Misc. Application No.29 of 1992 filed by the Petitioner for fixation of standard rent came to be confirmed.

2 The learned counsel for the Petitioner draws this Court's attention to the order dated 06/05/2015 passed in Second Appeal No.237 of 2015 by a learned Single Judge of this Court (R.G.Ketkar, J.) by which order the said Second Appeal has been dismissed. As a consequence, the decree of possession dated 30/04/2002 passed in Special Civil Suit No.159 of 1995 has been

confirmed. By the said order time of 8 weeks was granted for the Appellants therein one of whom is the Applicant in the above Civil Revision Application to hand over the possession. In view of the decree of possession passed in the said Special Civil Suit No.159 of 1995 by a learned Single Judge of this Court by dismissing the said Second Appeal, in my view, no reliefs can be granted to the Applicant in the above Civil Revision Application. In fact the above Civil Revision Application, in view of the said decree of possession, has become infructuous. The above Civil Revision Application is accordingly dismissed as having turned infructuous.

[R.M.SAVANT, J]