

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

WRIT PETITION NO. 2882 OF 2016

Mr. Amarnath Nathuji Rajas	... Petitioner
V/s.	
Ms. Amruta R. Gondil	... Respondent

Mr. Shivshankar D. Patil for the Petitioner.

**CORAM : K. K. TATED, J.
DATED : 21/03/2016**

PC.:

. Heard learned Counsel for the petitioner.

2 This petition is filed by original opponent challenging the order dated 05.12.2015 passed by the Competent Authority at Pune in Misc. Application No. 36 of 2014 directing the petitioner to deposit a sum of Rs.05,04,000/- towards the licence fees in respect of suit flat i.e. Flat No. 2, "F" Building, situated at Rajas Garden Society, 977-B/3, Shivajinagar, Model Colony, Pune – 411 016 for the period from January 2014 till December 2015.

3 In the present proceeding, the Respondent owner filed Application under Section 24 of Maharashtra Rent Control Act, 1999 for recovery of possession and compensation of the suit premises admeasuring 1000 sq. ft. In that, the owner filed application directing the petitioner to deposit the arrears of licence fees. Hence, the Competent Authority passed order dated 05.12.2015 holding that the

petitioner failed to produce any documentary evidence to show that he has made a payment in respect of suit premises to the respondent owner for the period January 2014 till December 2015.

4 The learned counsel for the petitioner submits that the competent authority failed to consider the petitioner's reply as well as the details of account placed on record. He submits that the petitioner along with his reply dated 16.09.2014 placed on record the statement showing the amount paid by him to the Respondent landlord. He submits that the said statement shows that petitioner used to pay licence fees in respect of suit flat to the Respondent owner from time to time. He submits that the respondent landlord has not given any receipt for the payment. Hence, the impugned order passed by the authority dated 05.12.2015 is required to be set aside.

5 I heard learned counsel for the petitioner at length. It is to be noted that the Competent Authority in its order dated 05.12.2015 specifically held that the petitioner failed to place on record any documentary evidence to show that he cleared the arrears of licence fees from January 2014 to December 2015. The statement of account annexed to this petition along with his reply dated 16.09.2014, shows the payment from September 2011 till April 2013 only. Even in the entire petition, the petitioner has not placed on record any documents to show that he has paid licence fees/compensation for the period January 2014 to December 2015.

6 Considering these facts, I do not find any reasons to entertain the

present petition under Article 227 of the Constitution of India.

7 Hence, Writ Petition stands rejected.

(K.K.TATED, J.)