

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

**SECOND APPEAL NO. 757 OF 2013  
WITH  
CIVIL APPLICATION NO. 686 OF 2011**

Shri Narayan Kondiba Chavan

..... Appellant

Versus

Shri Kishor Shankar Kulkarni & Ors.

.....Respondents

Mr. Vishwanath Talkute, for Appellant/Applicant.

Ms. Kiran Bagalia, for Respondent Nos. 4 to 8.

***CORAM : N. M. Jamdar J.  
Tuesday 26 July, 2016***

**P. C.**

. The appellant challenges the Judgment and Decree passed by the learned Civil Judge, Junior Division, Wai, decreeing the suit filed by the respondents/plaintiffs for possession and arrears of rent and the Judgment and order passed by the District Judge, Satara, dismissing the appeal filed by the appellant. Both the Courts have concurrently held that the suit property was given on a lease for non-agricultural/residence. The Notice contemplated under Section 106 of Transfer of Property Act was issued and it was served on the appellant.

2. The learned District Judge also considered the evidence of the Court Commissioner and the receipt relied upon by the appellant in the appeal. The learned District Judge has held that merely by producing the receipt its contents were not proved. There is no error in the conclusion reached by both the Courts. No question of law arises. Second Appeal is dismissed. Civil Application stands disposed of.

**(N. M. Jamdar, J.)**