

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.977 OF 2016

IN

WRIT PETITION NO.206 OF 2011

(Akash Prakash Naik and others Vs. Nandakumar Vishwanath Khaire)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Tejas D. Deshmukh for Applicants.

Ms Shraddha Pawar i/b. Mr. Dilip Bodake for Respondent.

CORAM : R. G. KETKAR, J.

DATE : 1ST JULY, 2016

P.C.:

Heard Mr. Deshmukh, learned Counsel for applicants and Ms Pawar, learned Counsel for respondent.

2. Mr. Deshmukh submitted that the Suit instituted by the plaintiffs under Sections 16(1)(g) and 16(1)(n) of the Maharashtra Rent Control Act, 1999 was decreed ex-parte. There was one more ground of default. Respondent filed application under Order 9, Rule 13 of C.P.C. for setting aside ex-parte decree, which is rejected by the Courts below. He submitted that in view of the order dated 03.10.2012 as also having regard to the fact that the Suit is decreed under Sections 16(1)(g) and 16(1)(n) of the Act as also the Courts below have rejected the application made by the opponent / petitioner under Order 9, Rule 13 of

C.P.C., Petition may be fixed for final hearing.

3. In view thereof, office is directed to add this matter in the Final Hearing board in the week commencing from 18.07.2016. In the meantime, call for R & P.

(R. G. KETKAR, J.)

Minal Parab