

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

**CIVIL REVISION APPLICATION NO. 489 OF 2015
WITH
CIVIL REVISION APPLICATION NO. 528 OF 2015
WITH
CIVIL REVISION APPLICATION NO. 728 OF 2015**

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. Kishor Maru for the Applicant.
Mr. M.A. Khan for the Respondent.

**CORAM : K. K. TATED, J.
DATED : 16/03/2016**

PC.:

- . Heard learned Counsel for the parties.
- 2 The issue involved in all these Civil Revision Application are identical.
- 3 Both the Counsel submit that all these Civil Revision Applications can be decided simultaneously by one order.
- 4 All these Civil Revision Applications filed by the tenant challenging the concurrent finding of fact recorded by both the Courts below.
- 5 In the present proceeding, the respondent landlord filed suit for possession of the suit premises on the ground of bonafide requirement as well as non user by the tenant.
- 6 Both these issues decided by the Trial Court as

well as Appellate Court in favour of landlord.

7 The learned counsel for the Respondent landlord made a statement that landlord has already taken possession of the suit premises by following due process of law i.e. in execution proceeding in the year 2014.

8 The Apex Court in the matter of ***Sumatiben Maganlal Manani V/s. Uttamchand Kashiprasad Shah & Ors. reported in 2011(6) Mh. L. J. 1***, held that High Court in exercising of its revisionary jurisdiction committed mistake in interfering with and setting aside the findings of facts properly arrived by the courts below.

9 The Apex court in the matter of ***Sunilkumar & Ors. V/s. Anilkumar reported in 2008(9) SCC 241*** held that High Court should not interfere the concurrent findings of fact recorded by the court below, if no perversity or infirmity pointed out in the order.

10 Considering the concurrent findings of facts recorded by the Court below, no error pointed out by the applicant in impugned order passed by courts below and considering the law declared by the Apex Court, I do not find any substance in these Civil Revision Application.

11 Civil Revision Applications are rejected.

(K.K.TATED, J.)