

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1386 OF 2016**

Iqbal Ahmed Moinuddin Ansari

..Petitioner

Vs.

Irfan Idris Shaikh & Ors.

..Respondents

Mr. R. D. Suryawanshi for the Petitioner

CORAM : R. M. SAVANT, J.

DATE : 3rd MARCH, 2016

P.C.

1 The Writ Jurisdiction of this Court is invoked against the order dated 26-10-2015 passed by the Additional Commissioner, Konkan Division, by which order the Revision Application filed by the Petitioner came to be dismissed, resultantly the order dated 11-3-2015 passed by the Competent Authority Konkan Division, Mumbai came to be confirmed.

2 The Respondent No.1 herein is the licensor who had executed the Leave and Licence Agreement in favour of the Petitioner in respect of the flat being No.305 admeasuring about 564 sq.ft. situated on the 3rd floor, House No.109, Farid Apartment, 2nd Nizampura Bhiwandi, District Thane i.e. between 1-12-2000 to 30-11-2013. Since on the expiry of the period the Petitioner did not vacate and hand over possession of the premises in question that the proceedings under Section 24 of the Maharashtra Rent Control Act 1999 came

to be initiated against the Petitioner. It seems that leave to defend was refused to the Petitioner. The Competent Authority ultimately by its order dated 11-3-2015 allowed the application and directed the Petitioner herein to hand over possession of the suit premises.

3 The Petitioner aggrieved by the order dated 11-3-2015 passed by the Competent Authority filed a Revision, the Revisionary Authority considered the defence which were sought to be put up by the Petitioner in the course of his submissions and did not countenance the said submissions and dismissed the Revision Application.

4 In the light of the undisputed fact that the licence period has ended as long back as in the year 2013, in my view, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]