

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

**SECOND APPEAL NO.543 OF 2015
WITH
CIVIL APPLICATION NO.1199 OF 2015
IN
SECOND APPEAL NO.543 OF 2015**

Shri Ashok Vishwas Patil ... Applicant/Appellant
vs.
State of Maharashtra & Ors. ... Respondents

Mr. Sugandh B. Deshmukh for the Applicant/Appellant.
Mr. Prashant Bhavake for the Respondent Nos.4 and 5.

Coram : **A.A. Sayed, J.**
Date : 15 November 2017

P.C. :

1 In view of the subsequent event, in that, the Appellant/original Plaintiff has been issued letter of termination of lease on 11 March 2015, the Second Appeal is disposed of in the following terms:

- (i) The Appellant is at liberty to file a fresh Appeal challenging the termination of the lease.
- (ii) So far as the issue of possession is concerned, it would have to be independently proved by the Appellant and the findings of the trial Court as well as the lower Appellate Court in that regard shall not stand concluded.

2 The Civil Application does not survive and to stand disposed of.

(A.A. Sayed, J.)