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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO.2946 OF 2016

K.S. Madhava (since deceased)
through LRs.

..Petitioner.

V/s.

Sujata Ramesh Golha & Anr.

..Respondents.

Mr.Ganesh Vaidya for the Petitioner.

Ms.Latika Belindage for the Respondents.

CORAM : N.M.Jamdar, J.

DATED : 27 January, 2017

P.C. :-

Heard the learned counsel for the parties. What is sought to be challenged by way of this writ petition is a decision in respect of the preliminary issue sought to be framed in a suit instituted by the Respondents on the basis of the licence stated to be executed. The main proceedings for eviction of the tenant is pending before the Competent Authority since the year 2007. In these circumstances, the learned counsel for the parties, after arguing the matter for some time, agree that it would be appropriate that the contention raised by both the parties in respect of the jurisdiction of the Competent Authority be kept open to be considered at the time

of hearing of the main application. In view of the consensus between the parties, no further orders are required to be passed. All contentions of both the parties in respect of the jurisdiction and on merits of eviction application are kept open. Considering the fact that the application is pending since the year 2007, the Competent Authority, keeping in mind the legislative policy of earlier disposal of such applications, will give priority to the disposal of the application and decide the same within a period of six months from the date of receipt of writ of this Court. Registry to communicate the order forthwith. The petition is disposed of accordingly.

(N.M.Jamdar, J.)