

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St. NO. 7411 OF 2017**

**Shri Mushtaq Ahmed Anwar Khan & Anr
Vs.**

..Petitioners

Competent Authority & Anr

..Respondents

**Mr. D. S. Sapkale a/w Ms Shivangi J. Rajak for the Petitioners
Ms Sindhu S. Edachali for the Respondent**

**CORAM : R. M. SAVANT, J.
DATE : 30th MARCH, 2017**

P.C.

1 The Writ Jurisdiction of this Court is invoked on the ground that the Competent Authority exercising jurisdiction under Section 24 of the Maharashtra Rent Control Act 1999, has refused to allow the Petitioners to file their Written Statement / Say to the application filed by the Respondent No.2 herein. The challenge is raised without there being any order passed by the Competent Authority. The Learned Counsel appearing for the Respondent No.2 Ms Sindhu Edachali states that the application is kept for orders both on the application for being permitted to file the Written Statement as also on the main application.

2 In my view, since no formal order has been passed rejecting the application of the Petitioner for being permitted to file the Written Statement / Say, it would be just and proper to permit the Petitioners to file an application

for being permitted to file the Written Statement which application can then be considered by the Competent Authority in accordance with law. The Learned Counsel for the Petitioners Mr. Sapkale states that such an application would be filed on or before 3-4-2017 before the Competent Authority. If such an application is filed, the Competent Authority to decide the same within one week thereafter. Till the application is decided, the Competent Authority is directed not to decide the main application under Section 24 on merits. If the application is not filed on or before 3-4-2017, then the benefit of this order would not enure to the Petitioners and then the Competent Authority would be free to pass orders on the main application in accordance with law.

3 With the aforesaid directions, the Writ Petition is disposed of.

[R.M.SAVANT, J]