

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 24 OF 2017

Prabhuvarayan Ramcharan Tiwari	...Applicant
<i>Versus</i>	
Prakash Bhagwatprasad Jaiswal	...Respondent

Mr Saurabh Oka, *for the Applicant.*
Mr Anilkumar Menon, *for the Respondent.*

CORAM: G.S. PATEL, J
DATED: 6th December 2017

PC:-

1. **Rule.** Respondent waives service.

2. By consent taken up for hearing and final disposal. It is an admitted position that there is no notification declaring the area as a slum area. On behalf of the Respondent it is argued that there are other grounds available to the tenant which were not considered. By consent the impugned order is quashed and set aside.

3. Civil Appeal No.187 of 2014 filed by the Respondent is restored to file and contentions are left open. The Civil Appeal will be decided on *de novo* by the District Judge, Thane uninfluenced by the impugned order dated 16th February 2016.

4. The Civil Revision Application is disposed of in these terms.
There will be no order as to costs.

(G. S. PATEL, J.)