

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

**SECOND APPEAL NO.640 OF 2015
WITH
CIVIL APPLICATION NO.1997 OF 2015
IN
SECOND APPEAL NO.640 OF 2015**

Shashikant Digambar Joshi
since deceased through L Rs
1(A) Bhavana Shashikant Joshi

And Others

... Applicants

Versus

Shivrudrappa Madwalappa Konapure

... Respondent

.....

Mr.A.M. Kulkarni a/w Mr. Akshay Kulkarni for the Applicants.

Mr. Prasad B. Kulkarni for the Respondent.

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CORAM : S.C. GUPTE, J.

DATE : 3 MARCH 2017

P.C. :

. Heard learned Counsel for the parties.

2 Learned Counsel for the Applicants/Appellants submits though the second appeal is admitted by this Court, this being an appeal arising from the orders under the Rent Act, the second appeal is not maintainable and he would like to convert the same into Civil Revision Application ("CRA"). Learned Counsel for the Respondent opposes the conversion. He submits that since the second appeal has already been admitted, it must take its own course. The second appeal is converted into CRA. Office shall number it accordingly.

3 The requisite amendments in the body of the second appeal as well as paper book to be carried out within two weeks.

CIVIL APPLICATION NO.1997 OF 2015

4 This civil application taken out in the second appeal is disposed of. The Applicants/Appellants shall have, however, at liberty to apply for such interim relief as they deem fit in the CRA.

(S.C. GUPTE, J.)