

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 8619 of 2018

Girish Laxman Ubale
Shnecrai Tours and Travels,
age 46 years occupation business
R/o Shree Wheels Car Accessories,
Chetan Trade Centre, Jalna road, Aurangabad
Taluka and District Aurangabad. **...Petitioner**

VERSUS

1. Chainmal Pannalal Kothari (died)
through legal representatives:
- 1/A. Rupesh S/o Chainmal Kothari,
age 57 years occupation business
- 1/B. Rajesh S/o Chainmal Kothari,
age 55 years occupation business

Both R/o Khushalnagar, Jalna road,
Aurangabad Taluka and District Aurangabad.

2. The United Electro Diesel Owner
Vasudeo S/o Vishwanath Jadhav,
90, Shivaji Co-operative Housing Society,
Senapati Bapat Marg, Pune. **...Respondents**

Mr P.S. Mehata, Advocate for petitioner.

CORAM : SUNIL P. DESHMUKH, J.

DATE : 1st August, 2018

ORDER :

1. Petitioner had preferred application exhibit No. 204 in
rent suit bearing No. 2 of 2007 pending before 8th Joint Civil Judge
(Senior Division), Aurangabad, on the ground that there has been

subsequent development under which plaintiff had required adjacent premises and has started running business in the same and this aspect will be required to be considered and under the circumstances it becomes necessary for defendant to adduce evidence.

2. Application had been opposed by the plaintiff. The court had considered that without there being any material support to the contention under application, it would not be proper to consider the request. Under the circumstances, application has been rejected.

3. The reason, which underwent in making impugned order, does not appear to be without any substance and is in consonance with judicial principles.

4. In the circumstances, it is difficult to accede to request made in the writ petition. Writ petition is, thus, rejected.

**(SUNIL P. DESHMUKH)
JUDGE.**