

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Revision Application NO. 552 OF 2017

Rajiv Ramesh Grover
and others

...Applicants

Versus

Mr. Shrikant Madhukar Gondkar
and others

...Respondents

....

Mr. Anvil Kalekar i/b. Jaydeep Deo, Advocate for the Applicants.
Mr. Prasad Sarvankar i/b. Chaitanya Nikte, Advocate for the
Respondents.

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CORAM : R. G. KETKAR, J.

DATE : 12th OCTOBER, 2018

P.C.

1. Heard Mr. Anvil Kalekar, learned counsel for the applicants
and Mr. Prasad Sarvankar, learned counsel for the respondents.

2. This Petition takes exception to the order dated 25.7.2017
passed by the learned 5th Additional Judge of the Small Causes Court at
Pune below Exhibit-75 in Civil Suit No.300/2010. By that order, the
learned trial Judge rejected the application made by the defendants
under Order VII Rule 10 of the Code of Civil Procedure, 1908 (for short,
'C.P.C.') for returning the plaint for presentation before the proper
Court. The defendant contended that the suit premises situate in the

cantonment area of Pune Board and the provisions of the Maharashtra Rent Control Act, 1999 (for short, 'Act') are not applicable.

3. By order dated 24.9.2018 passed in **C.R.A. No.249/2018 (Shireen Dady Adenwalla Vs. Yasmin Dinyar Ilavia)** and other companion matters, I have held that the provisions of the Act are applicable to the Pune Cantonment Area. Hence, I do not find that the learned trial Judge has committed any error in rejecting the application. Hence, Civil Revision Application fails and the same is dismissed with no order as to costs. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)