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

**SECOND APPEAL NO.418 OF 2017
WITH
CIVIL APPLICATION NO.812 OF 2017
IN
SECOND APPEAL NO.418 OF 2017**

Suyog Shivsai Mahila Mandal Khed	...	Appellant.
V/s.		
District Officer, Ratnagiri		
Ratnagiri District and ors	...	Respondents

Mr. Vishwajeet S. Kapse, for Appellant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 11th JUNE, 2018.

P.C. :

1] This Second Appeal is preferred against the judgment and order 10.08.2016, by the first Appellate Court, thereby dismissing the appeal which was filed against the judgment and decree dated 29.04.2011, passed by Civil Judge Senior Division Ratnagiri in R.C.S.No.154 of 2007. By the said judgment the trial Court, dismissed the suit filed by the appellant and the said decree is confirmed by the appellate Court.

2] As per case of appellant, he was running Zunka Bhakar Kendra in a stall admeasuring 12 x 10 meters, situated within the

premises of Tahasil Office, Khed. According to appellant he has constructed the said stall by incurring expenses of Rs.75,000/- and by availing the subsidy of Rs.25,000/- from Government. It is his contention that as he is in possession thereof, respondent should be restrained from causing obstruction to the said possession.

3] However, the judgment and decree passed by the trial Court and confirmed by the Appellate Court, clearly goes to show that lease has expired due to efflux of time and accordingly appellant was informed about the same. Though the appellant has challenged the expiry of said lease, the trial Court and the Appellate Court, considered the documentary and oral evidence on record and thereafter rejected his challenge.

4] In the Second Appeal, no substantial question of law being raised. No case is made out. The appeal, therefore, stands dismissed at the stage of admission itself.

5] In view of dismissal of appeal, Civil Application NO.812 of 2017 stands disposed off.

[DR.SHALINI PHANSALKAR-JOSHI, J.]