

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

SECOND APPEAL NO.32 OF 2018

Harikisan Kalidas Joshi (Deceased) Thr.
Legal representatives.
vs.

..Appellants

Smt Niranjana Dharendra Shah & Ors.

...Respondents

None for the Appellants.
Rajendra N. Bhagattjee for the Respondent No.1.

**CORAM : A. M. DHAVALA, J.
DATE : 28th AUGUST, 2018.**

P.C.:

. In Regular Civil Suit No.43/2002 before the Learned Joint Civil Judge, Junior Division, Dahanu decree has been passed against the defendant. The said decree has been confirmed by Ad-hoc District Judge-2, Palghar vide Civil Appeal No.28/2014 by order dated 3/8/2017.

2. None present for the appellant. Learned Advocate for the Respondent is present. As per the provisions of section 34(3) of The Maharashtra Rent Control Act, no second appeal lies in the said matter. In view of the aforesaid facts, the appeal is dismissed. No order as to costs.

(A. M. DHAVALA, J.)

Later on:

3. Mr.Sameer Vaidya learned advocate for the appellants appeared and submitted that alternate remedy, if any, should be permitted to be availed by the appellants. Hence, the order is modified and it is

further recorded that if the appellant has any other remedies he may avail the same.

(A. M. DHAVALE, J.)