

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2802 OF 2019
IN
CIVIL REVISION APPLICATION NO. 239 OF 2015

POPATRAO UTTAMRAO CHAPANERKAR AND ANOTHER
VERSUS
KASHINATH SHRIDHAR KULTHE AND ANOTHER

Advocate for Applicants : Mr. S.S. Kulkarni.
Advocate for Respondent Nos. 1 & 2 : Mr. A.B. Jagtap
h/f. Advocate Mr. V.D. Sapkal.

CORAM : M.S. Karnik, J.
Dated : 05.08.2019

Per Court :

1. The Civil Revision Application has already been admitted. The applicant is the landlord. The trial Court dismissed the suit. The appellate Court reversed decree. The present application is filed for amending the CRA on the ground that the respondents now have alternate premises for occupation as the respondents-tenants have received vacant possession of the premises which they had previously let out. Learned counsel for the respondents opposed the application.

2. In my opinion the application deserves to be allowed as these are subsequent events which the landlord wants to bring on record to show that the respondents now have alternate premises in their occupation. The respondents

always have a right to controvert these averments.

3. The application for amendment is allowed. Leave to amend the CRA within the period of two weeks in terms as stated in para 5-A and 5-B of the application.

(M.S. Karnik, J.)

S.P.C.