

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
WRIT PETITION NO.6795 OF 2018**

Tanaji Devappa Powar .. Petitioner
vs
Kolhapur Municipal Corpn. & anr Respondents

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Mr.S.S.Koregave for Petitioner
Mr.A.M.Adagale for Respt nos. 1 & 2
Mr.R.P.Kadam Asst.Govt,Pleader for Respt no.3

Coram : K.K.TATED, J

Date : 24th JANUARY 2019

P.C

Heard learned counsel for the parties.

2. By this petition under Article 227 of the Constitution of India, the petitioner challenges the concurrent findings of facts recorded by both the Courts below.

3. The petitioner/original plaintiff filed Regular Civil Suit no.256 of 2016 for an order of injunction restraining the respondents from taking action against him without the due process of law in respect of a tin shed admeasuring 20 x 20 sq.ft. It is to be noted that neither the petitioner is the owner of the property nor his name is appearing in the revenue records. His contention is that he is occupying the same as a tenant of the respondent-Corporation. Though he has claimed tenancy, he has not

placed any document on record to that effect. Considering these facts, and the concurrent findings of facts, recorded by both the Courts below, I do not find any reason to interfere with the reasoned order. Hence, writ petition stands rejected.

4. At the request of learned counsel for the petitioner, status quo order passed by this Court to remain in force till 20.2.2019.

(K.K.TATED, J)