

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2361 OF 2019
WITH
CIVIL APPLICATION NO. 427 OF 2019

Smt. Sushila D. Jadhav .. Petitioner
vs.
Vishal M. Bagade and ors. .. Respondents

None appears for the Petitioner.
Mr. Dipendra Kumar J. Mishra for Respondent No.1.

CORAM : R. G. KETKAR, J.
DATE : 6th AUGUST 2019.

P.C. :-

- 1] None appears for the petitioner.
- 2] Heard Mr. Dipendra Kumar J. Mishra, learned counsel for respondent No.1.
- 3] This petition takes exception to the order dated 19th June 2018 passed by the Additional Commissioner, Konkan Division in Revision No. 402 of 2016. By that order, the Additional Commissioner dismissed the revision application preferred by the petitioner under Section 44 of the Maharashtra Rent Control Act, 1999 (for short "Act") and upheld the order dated 22nd March 2016 passed by the Competent Authority, Konkan Division in Case NO. 18 of

2014. By that order, the Competent Authority directed the respondent - Sushila Jadhav (petitioner herein) to handover the vacant and peaceful possession of Room No.2, Mahadev Raghav Chawl, Underai Road, Rai Pada, Behind New Era Talkies, Malad (W), Mumbai-400 064 to the applicant - Madhukar M. Bagade (respondent No.1 herein).

4] Mr. Mishra submitted that respondent no.1 had executed the order impugned in this petition and obtained possession of the suit premises. As the order impugned in the present petition is already executed and none appears for the petitioner, the petition is disposed of as infructuous.

5] In view of disposal of main petition, Civil Application No. 427 of 2019 for setting aside the order dated 22nd November 2018 passed by the Competent Court in Execution Proceedings No.2 of 2018 does not survive and the same is disposed of.

(R. G. KETKAR, J.)