

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL REVISION APPLICATION NO.442 OF 2017

Ajay Bhagwan Valecha	]	Applicant
Vs.		
M/s. Minar Real Estates Pvt. Ltd.	]	Respondent

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Mr. Anvil S. Kalekar, for Applicant.
Ms. Sapna Krishnappa i/b Suresh Dubey, for Respondent.

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CORAM : R.G. KETKAR, J.

DATE : 11th FEBRUARY, 2019.

P.C.

Not on board. At the request of Ms. Krishnappa, taken up in the production board.

2. Heard Mr. Kalekar, learned Counsel for the applicant and Ms. Krishnappa, learned Counsel for the respondent.

3. By this application under section 115 of the Code of Civil Procedure, 1908 (for short 'C.P.C'), the applicants, hereinafter referred to as "defendants" have challenged the order dated 24th March, 2017 passed by the learned Additional Judge, Small Causes Court, Pune below Exhibit 39 in Civil Suit No.242 of 2018 for returning the plaint for presentation before proper forum. The defendants contended that the suit premises is situate in the Cantonment area of Pune Cantonment Board and, therefore, provisions of the Maharashtra Rent Control Act, 1999 (for short 'Act') are not applicable.

4. Ms. Krishnappa submitted that controversy raised in this application is concluded by order dated 24th September, 2018 passed by this Court in **Shireen Dady Adenwalla Vs. Yasmin Dinyar Ilavia, C.R.A No.249 of 2018 and other companion proceedings**. By that order, this Court held that the properties situate in the Cantonment area, Pune are governed by the provisions of the Act.

5. In view thereof, I do not find that the learned trial Judge has committed any error in rejecting the application. Hence, Application fails and the same is dismissed.

[R.G. KETKAR, J.]