

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 7608 OF 2019

Mrs. Shalini Jagannath Thavai
and others

...Petitioners

Versus

Shri. Mohan Gangaram Patil
and others

...Respondents

....

Mr. Sagar G. Talekar, Advocate for the Petitioners.

Mr. M.R. Nair i/b. G.S. Bhat, Advocate for the Respondents.

....

CORAM : R. G. KETKAR, J.

DATE : 11th JULY, 2019

P.C.

1. Heard Mr. Sagar Talekar, learned counsel for the petitioners and Mr.M.R. Nair, learned counsel for the respondents, at length.

2. This Petition takes exception to the order dated 6.6.2019 passed by the learned Judge, Court Room No.25 of the Court of Small Causes at Mumbai below Exhibit-71 in R.A.E. Suit No.1018/2011. By that order, the learned trial Judge rejected the application made by the petitioners, hereinafter referred to as the 'defendants' seeking permission to carry out repairs of the suit premises.

3. Mr. Talekar submitted that the learned trial Judge rejected the application mainly on the ground that the defendants did not issue

notice under Section 14(2) of the Maharashtra Rent Control Act, 1999 (for short, 'Act'). He, therefore, seeks permission to withdraw this Petition as also application Exhibit-71 with liberty to issue notice under Section 14(2) of the Act to the respondents/orig.plaintiffs. He assures that within two weeks from today, the defendants will issue notice.

4. In view thereof, on the motion made by Mr. Talekar, the Petition is allowed to be withdrawn with liberty as prayed for and is disposed of as such. It is made clear that I have not examined the merits of the case. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)