

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4910 OF 2019**

Uttam S/o Ravla Sonawane] Petitioner

Vs.

The State of Maharashtra and another] Respondents

....

Mr. A.M. Saraogi, for Petitioner.

Mr. R.P Kadam, A.G.P, for Respondents-State.

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**CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 14th SEPTEMBER, 2021.

P.C.

1. Heard learned Counsel for the parties.
2. By this petition under Article 226 of the Constitution of India, the petitioner is seeking direction against respondent No.2/ Officer In-charge/Registrar Competent Authority formed under the Maharashtra Rent Control Act having their office at MHADA Building, Bandra (East), Mumbai – 400 051 to accept their complaint under section 24 of the Maharashtra Rent Control Act, 1999.
3. Learned Counsel appearing on behalf of the petitioner submits that in view of paragraphs 4 and 5 of the affidavit-in-reply

dated 25th August, 2021 filed by the Superintendent, Rent Control Act Court, Konkan Division, Mumbai, he received instructions from his client not to press the present writ petition and file appropriate complaint before the Authority. Paragraphs 4 and 5 of the said reply read thus;

“4. I say that at present, post of Superintendent Class-2 is vacant and Shri Amit B Nagpure, Junior Clerk, has been handed temporary additional workload of the said post as there should not be obstruction in the work of the office.

For filing the new claim and inspection of the documents for filing the new claim is the work of Superintendent. If any person files the claim, then the Superintendent does the inspection of the same and claim is put forward before the Hon’ble Competent Authority for further order.

5. I say that the claim which is filed before the Hon’ble High Court as per the statement of the Applicant on 31/08/2018 the Applicant has filed an Application with my office. But, their claim was not filed and such thing has been mentioned. During the said period, Shri. Vinay P. Lokhande or Shri. Amit B. Nagpure was not working on the post of the Superintendent. Hence as per the concerned law, all the claims are being filed with our office and any party has not been obstructed for filing the claim”.

4. Learned Counsel appearing on behalf of the petitioner has given in writing to that effect. It is taken on record and marked 'X' for identification. Same is accepted.

5. In view of this fact, following order is passed;

: ORDER :

(a) Writ Petition stands dismissed as not pressed in view of the statement made by the respondents in affidavit dated 25th August, 2021.

(b) No order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]

[K. K. TATED, J.]