

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 248 OF 2017
IN
CIVIL REVISION APPLICATION NO. 378 OF 2010**

Ramabai S. Gupta	..Applicant
Vs.	
Krishna Talukraj Chaubey	..Respondent

Mr. H. P. Pandey, for the Petitioners.
None for the Respondent.

**CORAM : C.V. BHADANG, J.
DATE : 04th FEBRUARY 2021**

P.C.

. This application is filed by the applicant / landlord for restraining the respondent from creating any third party, right, title or interest or disposing of the suit premises during the pendency of the revision application.

2. I have heard Mr. Pandey, the learned counsel for the applicant.
None appears for the respondent.

3. The record discloses that the Trial Court had granted a decree of eviction in favour of the applicant on the ground of bonafide

personal requirement which has been reversed by the Appellate Court. The learned counsel for the applicant submits that the respondent / tenant has opened a door and partitioned the suit property where his son Mr. Santosh Chaubey is residing. In order to establish this, the applicant has produced the electricity bills which is shown to be standing in the name of Santosh.

4. I have considered the circumstances and the submissions made. The original suit filed by the applicant is of the year 2002 and it was decreed in the year 2003. Prima facie, it appears that there is no such injunction operating before the Courts below. The present application is also pending since the year 2017. The revision application is of the year 2010.

5. In that view of the matter, the civil application is disposed of. Needless to mention that any transfer or creation of third party interest, shall be subject to the outcome of the revision application.

6. The revision application be added to the final hearing board, if it is otherwise ready.

C.V. BHADANG, J.