

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3911/2019

Smt. Nilima w/o Sharad Mahajan .vs. Shri Suryaprakash Kewalramani (Dead) thr.
LRs. Smt. Nisha w/o Suryaprakash Kewalramani and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. S. Shahane, Advocate for petitioner.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 25, 2021

Heard Mr. Shahane, learned counsel for petitioner.

Nobody appears for the respondents, though served.

By this writ petition, the petitioner is challenging order dated 25.01.2019 whereby the learned Additional Judge, Small Causes Court, Nagpur rejected the application filed on behalf of the petitioner under Section 8 (4) (a) (b) of the Maharashtra Rent Control Act for fixation of interim rent.

Learned counsel for the petitioner submitted that the main proceeding i.e. M.J.C. No. 9/2017 for fixation of rent is still pending on the file of learned Additional Judge, Small Causes Court, Nagpur. He submits that the writ petition can be disposed of with a direction to learned Judge for disposal of M.J.C. No.9/2017 expeditiously.

Expeditious disposal of the lis is always beneficial for the parties to such a lis. Therefore, I see no impediment to pass an order directing expeditious disposal of the lis pending before the learned Additional Judge, Small Causes Court, even in absence of the respondents.

Hence, I pass the following order.

ORDER

- (i) The writ petition is disposed of.
- (ii) Learned Additional Judge, Small Causes Court, Nagpur shall decide M.J.C. No.9/2017, as expeditiously as possible and within a period of 1 ½ year from the date of receipt of this order.
- (ii) It is made clear that this Court is not touching merit or demerit of the impugned order.

JUDGE

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