

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

WRIT PETITION NO.1362 OF 2021

Jairaj Kashinath Paul Vs. Shivdayal Mansingh Sahu

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

Court's or Judge's orders.

Shri K.R. Lule, Advocate for petitioner.
Shri S.S. Sitani, Advocate for respondent/cavetor.

CORAM : V.M. DESHPANDE, J.
DATE : 16th MARCH, 2021.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

(2) Heard Shri K.R. Lule, learned counsel for the petitioner and Shri S.S. Sitani, learned counsel for the respondent/cavetor.

(3) This writ petition is filed by the tenant, who suffered decree of eviction from the learned Additional Judge, Small Causes Court, Nagpur in Regular Civil Suit No.541 of 2005. Thereafter, the petitioner-tenant filed an appeal i.e. Regular Civil Appeal No.291 of 2014 and the learned District Judge-7, Nagpur vide judgment and decree dated 30.01.2020 dismissed the appeal.

(4) Admittedly, the petitioner was in arrears of rent. It is also admitted before this Court by the learned counsel

for the petitioner that petitioner/tenant even on receipt of summons of the suit within stipulated period the did not deposit the rent before the Court. Even as on today the rent is not paid.

(5) In that view of the matter, provision of Section 15 of the Maharashtra Rent Control Act, 1999 will apply in this case with full force. No error is committed by the Courts below. The writ petition is dismissed. No order as to costs.

JUDGE

Wagh