

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRA NO. 112 OF 2022
WITH CA/16686/2022 IN CRA/112/2022

CITIZEN URDU PRIMARY SCHOOL THR ITS SECRETARY
JAYMALADATTATRAY WAGHOLIKAR AND ORS
VERSUS
SHABBIR AHMED BASHIR AHMED TAKE DIED THR LRS
HALIMA SHABBIR AHMED TAKE AND ORS

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Advocate for Petitioners : Mr. Syed G.R.
Advocate for Respondent No. 1b : Mr. Suhas P. Urgunde

CORAM : RAJESH S. PATIL, J.

DATE : 15th DECEMBER, 2022

PER COURT :

1. After the parties are heard for some time, both the parties who are present in the Court have instructed their Advocates that it would be suffice that if the impugned order of the appellat Court is set aside and the matter is remanded back to the trial Court for re-hearing.

2. In view of the same, impugned order dated 18.08.2022 passed by the District Judge – 3, Latur, in Rent Appeal No. 1/2015 (J), is hereby set aside and Rent Appeal No. 1/2015 (J) is remanded back to District Judge – 3, Latur, for re-hearing. The District Judge – 3, Latur, should re-hear the matter and take into consideration all the documents which are on record and to make an endeavour to dispose of

the matter within a period of six months from today in accordance with law on its own merits. So also, the applicants herein (original tenants) have agreed that they would deposit an amount of sum of Rs. 1,91,750/- (Rupees one lakh ninety one thousand seven hundred fifty) within a period of one month from today, in the District Court, Latur. After depositing the amount in the District Court, Latur, the legal heirs of original Landlord are permitted to withdraw this amount.

3. Hence, the Civil Revision Application No. 112/2022 along with Civil Application No. 16686/2022 is hereby disposed off.

(RAJESH S. PATIL, J.)