

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 740 OF 2022
WITH
INTERIM APPLICATION NO. 16654 OF 2022
IN
APPEAL FROM ORDER NO. 740 OF 2022

Mr. Naim A. Khan and Anr. ...Appellants

V/s.

Mrs. Medha Aroara ...Respondent

Mr. Sachin S. Tigde, for the Appellants.

None for the Respondent.

CORAM : C.V. BHADANG, J.

DATE : 27 JULY 2022

P.C.

. Heard the learned counsel for the Appellants.

2. The Competent Authority has passed an order directing eviction of the Appellants under Section 24 of the Maharashtra Rent Control Act, 1999, which order is challenged by the Appellants before the Revisional Authority.

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3. It appears that the Appellants filed an application purportedly under Order XXXVII of the Civil Procedure Code (CPC) before the Competent Authority in the execution. The Competent Authority by an order dated 23 March 2022, while rejecting the application has issued an arrest warrant against the Appellants / Judgment Debtor for depositing the amount of Rs.21,05,000/-. The learned counsel for the Appellants submits that even the order dated 23 March 2022 is subject matter of challenge in the revision application. He submits that the revision application is heard on merits and has been closed for orders.

4. When the initial order passed by the Competent Authority directing eviction, as well as order dated 23 March 2022 is subject matter of challenge before the revisional authority and that revision is already heard and closed for orders, this appeal need not be entertained at this stage which is accordingly disposed of. Needless to mention that the revisional authority shall decide the revision application on its own merits and this Court has not examined the rival contentions on merits. Pending civil application, if any, is disposed of.

C.V. BHADANG, J.