

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

WRIT PETITION NO. 6104 OF 2022
SANDIP S/O GENDLALJI TATED

-Vs.-

MUNICIPAL COUNCIL KHAPA, NAGPUR AND ORS.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr A. R. Ingole, Advocate for the petitioner
Mr A. M. Deshpande, I/c. GP for respondent No.2

CORAM : SUNIL B. SHUKRE AND
G. A. SANAP, JJ.
DATED : 29.09.2022

Heard.

2] Since, the structure is in dilapidated condition which is presently under occupation by tenant i.e. respondent No. 3, whose tenancy has been already terminated by the petitioner, it would be appropriate for the petitioner to take recourse to appropriate civil remedy for first vacating the premises by taking recourse to law and then pulling it down, on the ground that the premises or the building has been so dilapidated that it is required to be pulled down. In fact, dilapidated state of building under occupation by tenant is a good ground under the Maharashtra Rent Control Act, 1999 for obtaining relief of vacating of the premises, in accordance with law, by tenant.

3] The petition is, therefore, summarily **dismissed**, with liberty to the petitioner to take recourse to the appropriate remedy, as may be available in law.

(G. A. SANAP, J.)

(SUNIL B. SHUKRE, J.)

Namrata