

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

**SECOND APPEAL NO. 562 OF 2023
WITH CA/14336/2023**

MANGAL UDDHAV SHRIGADI AND ORS

VERSUS

**RAMESHWAR MURLIDHAR ASWALE (DIED) THRLEGAL HEIRS SMT
SATYABHANAR. ASWALE AND ORS**

...

Advocate for Appellants : Mr. S.K. Shinde

...

CORAM : S.G. MEHARE, J.

DATED : DECEMBER 11, 2023

PER COURT:-

1. Heard learned counsel for the appellants.
2. There are two concurrent judgments and decrees against the appellants. The appellants have a case that the landlord-tenant relationship was not established. The plaintiffs' case that the suit premises was allowed to be used on concession was held by both Courts. Both Courts have recorded the findings on the facts.
3. On hearing the learned counsel for the appellants, the Court is not satisfied that substantial questions of law have been involved in the case.
4. Learned counsel for the appellants would submit that the appellants are the poor and old aged persons. The execution of the decree has been initiated against them. A lenient view may be taken about all of sudden dispossession. Since there were no substantial

questions of law in the case, the appeal stands dismissed at the admission stage.

5. Civil Application No.14336 of 2023 stands disposed of.

6. In the interest of justice, eight months time is granted to the appellants to vacate the premises and handing it over to the landlord. If the appellants would fail to vacate the premises within eight months from today, the Executing Court shall directly issue the possession warrant with police aid.

(S.G. MEHARE, J.)