

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARJUN
VITTHAL
KUDHEKAR

CIVIL REVISION APPLICATION NO.544 OF 2022

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ARJUN VITTHAL
KUDHEKAR
Date: 2023.01.25
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Mrs. Shamima Mohammed Khatoon ...Applicant

V/s.

Mrs. Rubina Mohd. Rafique MakandarRespondent

Mr. Francis A. Caszo, for the Applicant.

Mr. Subhradeep Banerjee a/w Harsh Moorjani i/b J. P. Jayswal, for the Respondent.

CORAM : MADHAV J. JAMDAR, J.

DATE : 19th JANUARY, 2023

P.C.:

1. The Applicant is challenging the Order dated 31st May, 2022 passed by the Additional Commissioner, Konkan Division at Bombay in Appeal/Revision/205/2022, by which, the Additional Commissioner rejected the prayer to stay the execution of Order dated 15th March, 2022 passed by Competent Authority, Rent Control Act, Konkan Division at Mumbai in Eviction Application No.108 of 2020.

2. Perusal of the impugned Order dated 31st May, 2022 shows that, no reason has been given for rejecting the stay Application. In view of this, learned counsel appearing for

the Respondent after taking instructions, states that, the Respondent will be satisfied if, the hearing of Appeal/Revision/205/2022 is expedited and directed to be disposed of in time bound manner and he further states that, till that time, the order of Eviction dated 15th March, 2022 be stayed. Both the learned counsel states that, for passing this Order no reasons are required to be given.

3. In view of the above impugned Order dated 31st May, 2022 passed by the Additional Commissioner, Konkan Division at Bombay in Appeal/Revision/205/2022 which is at page Nos. 58 and 59 of the paper book is set aside.

4. The said Appeal/Revision/205/2022 is expedited and the Additional Commissioner, Konkan Division at Bombay is requested to dispose of the same by 30th April, 2023.

5. Till disposal of the said Revision, the Order dated 15th March, 2022 passed by Competent Authority, Rent Control Act, Konkan Division at Mumbai in Eviction Application No.108 of 2020 be not executed.

6. The Civil Revision Application is allowed in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)