



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15005 OF 2022

Pallavi Romesh Salia

...Petitioner

Versus

Romesh Damaji Salia And Anr.

...Respondents

Ms. Sonali Kunekar for the Petitioner.

Ms. Sonal a/w Bhavik Lalan i/by Pankaj Pandey for Respondent No.1.

CORAM : N.R. BORKAR, J.

DATED : 5 SEPTEMBER 2023

PC. :

The respondent No.1 herein had filed application under Section 24 of the Maharashtra Rent Control Act, 1999 against the petitioner for eviction and possession of Flat No.903, ad-measuring about 924 sq.ft., carpet area, 9th Floor, Evertop Apartments Cooperative Housing Society Ltd., Sahakar Nagar, near Dhake Colony near Sahakari Bhandar (Apna Bazar), J.P. Road, Andheri (West), Mumbai situated at CTS No.834/1, 834/2, 822/1 of village Amboli Taluka, Andheri District Mumbai Suburban with Car Parking. The Competent Authority by order dated 17 March 2022 directed the petitioner to hand over the possession of the flat in question.

2. By the impugned order, the learned Additional Commissioner, Konkan Division, Mumbai rejected the Revision Application filed by the petitioner against the order passed by the Competent Authority. Hence,

Sayyed

this Petition.

3. According to the petitioner, the respondent No.1 herein got executed from her a Sale-Deed, Gift-Deed and Leave and Licence Agreement in relation to flat in question by playing fraud. The petitioner has already filed suit in that respect. The Authorities established under the Rent Act are not vested with the power to examine the said issue. No interference is thus called for in the impugned orders. The Petition is dismissed.

(N.R.BORKAR, J.)