



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15631 OF 2023

Pall Ajit Singh

... Petitioner.

Versus

State of Maharashtra and Ors.

... Respondents.

Ms. Arati Ranade i/by Ms.Sahana Manjesh, Advocate for Petitioner.
Mr. P.V. Nelson Rajan, AGP, for the Respondent-State.

CORAM : SHARMILA U. DESHMUKH, J.
DATE : DECEMBER 20, 2023.

P. C.:

1. The Petition has been preferred by 91 years old senior citizen seeking expeditious hearing of the Application filed under Section 24 of the Maharashtra Rent Control Act, 1999. The application has been filed on 24th January, 2022 and till date the proceedings are at the stage of hearing of the arguments on leave to defend. This Court is informed that an application for expeditious hearing had also been filed before the Competent Authority, however, there are no orders which have been passed.

2. The provisions of Section 43 of the Maharashtra Rent Control Act prescribes the special procedure for disposal of the Application filed under Section 24 and Section 43(4)(c) provides that

where the leave is granted to the tenant-licensee to contest the application, the Competent Authority shall commence the hearing of the application as early as practicable and shall as far as possible proceed with the hearing on day to day basis and decide the same within six months of the order of granting such leave to contest the application.

3. The special procedure prescribed indicates that the applications filed under Section 24 of the Maharashtra Rent Control Act are required to be decided in an expeditious manner. It is for the summary disposal of the Application that a special procedure has been incorporated in the Maharashtra Rent Control Act, 1999. Apart from the fact that the statutes itself provides for the expeditious disposal of the proceedings, it needs to be noted that the applicant herein the senior citizen aged about 91 years.

4. Having regard to the facts stated above, the application filed under Section 24 of the Maharashtra Rent Control Act, 1999 is required to be decided expeditiously. The Competent Authority is requested to decide the eviction application expeditiously and in any event within a period of six months from today.

5. Petition stands allowed in the above terms.

(Sharmila U. Deshmukh, J.)