



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

924 WRIT PETITION NO. 3033 OF 2024

GOKUL HUNDAMAL KARDA

VERSUS

UNION OF INDIA THROUGH GENERAL MANAGER AND ANOTHER

...

Advocate for the Petitioner : Mr. Patil Sandesh R.

Advocate for Respondent : Mr. A. G. Talhar

...

**WITH CIVIL APPLICATION NO. 3062 OF 2024
IN WP/3033/2024**

....

CORAM : ARUN R. PEDNEKER, J.

Dated : March 19, 2024

PER COURT :-

1. The learned Advocate for the petitioner submits that there was no valid termination of the tenancy of the petitioner under Section 106 of the Transfer of Property Act. He further submits that he was granted the lease without stipulation of any time period. He submits that unless there is a valid termination of the tenancy he continued to be in lawful possession of the tenanted property. As such, the initiation of the proceedings under Section 5 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 is without jurisdiction.

2. Issue notice to the respondents, returnable on 02/04/2024. The learned Advocate Mr. A. G. Talhar waives service of notice on behalf of respondents.

3. The learned Advocate for the respondent seeks time to place on record the relevant documents on record.

(ARUN R. PEDNEKER, J.)