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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1814 OF 2019

Dr. Nandkumar Shankar Gaikwad

..... Petitioner

VERSUS

M/S. Panvel Medical Research Centre

..... Respondent

Mr. Dilip Bodake for the Petitioner.

Mr.Shardul Singh (Thr. Video Conference) a/w. Mr.Preet Chedda,
Ms.Sayali Sawant for the Respondent.

CORAM: RAJESH S. PATIL, J.

DATE : 30 APRIL, 2024

P.C. :-

This writ petition is filed by the licensor challenging an order passed by the Additional Commissioner, Konkan Division, under section 24 of the Maharashtra Rent Control Act.

2. By the impugned judgment and order passed by the additional commissioner, konkan division, revision application was allowed and the matter was remanded back to the Competent Authority for a fresh hearing.

3. I have heard learned counsel for both the parties, with their help, i have gone through the documents on record including the impugned order passed by the Revisional Authority.

4. In the findings, the Revisional Authority has come to the conclusion that the leave and licence agreement is not a registered document. Infact, learned counsel appearing for the petitioner has shown me the leave and licence agreement and from the photocopy, which is attached to the petition, it can be seen that the leave and licence agreement is a registered document.

5. After the matter was argued for some time, both the learned counsel agree that the Additional Commissioner, Konkan Division by the impugned order dated 26 July, 2018 be quashed and set aside and the matter can be heard fresh by the Additional Commissioner, Konkan Division.

6. Writ petition is disposed of with following directions :-

(a) The impugned order dated 26 July, 2018 passed by the Additional Commissioner, Konkan Division is hereby quashed and set aside.

(b) The Revision Application No. 315 of 2018 be taken back on the file and the Additional Commissioner, Konkan Division should hear the parties afresh.

(c) The hearing of the Revision Application No. 315 of 2018 is hereby expedited.

(d) The Additional Commissioner, Konkan Division should make an endeavour to dispose of the revision application within a period of six months from today.

(e) The parties are permitted to file additional documents on record within a period of six weeks from today.

(f) All contentions of both the parties are kept open.

7. The parties to act on the authenticated copy of this order.

[RAJESH S. PATIL, J.]