

Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3617 OF 2024

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Hiren Shamji Thakkar ... Petitioner
V/s.
State of Maharashtra Through
Presiding Officer Senior Citizen Tribunal
& Anr ... Respondents

Mr. Bhavik Lalan i/by MR. Darshit Jain, for Petitioner.

Mr. Y. D. Patil, AGP for State/Respondent No.1.

CORAM : AMIT BORKAR, J.

DATED : MARCH 13, 2024

PC.:

1. Prima faice, it appears that the property in question is not owned by respondent No.2. The contention raised by the petitioner in paragraph 3(ii) of the reply is that the original applicant is the statutory tenant in the premises. Hence, in the absence of ownership being confirmed by the applicant and in absence of adjudication regarding plea of tenancy raised by the petitioner, the Tribunal could not have passed an order of eviction against the petitioner. Hence, issue notice to respondent No.2, returnable on **10 April 2024.**

2. Till the next date, there shall be ad-interim relief in terms of prayer clause (c).

(AMIT BORKAR, J.)