

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.548 OF 2024
WITH
INTERIM APPLICATION NO.14097 OF 2024
IN
CIVIL REVISION APPLICATION NO.548 OF 2024

Vilas Mahadeo More and Ors.

...Applicants

V/s.

Vibhavari Vinayak More (since
deceased) through her legal heir-
Omkar Vinayak More and Ors.

...Respondents

Mr. Rahul Soman *with Mr. Suyash More for the Applicants.*

Mr. Shobhit Shukla *for Respondent No.1*

CORAM : SANDEEP V. MARNE, J.

Dated : 25 October 2024.

P.C. :

1. Not on board. Upon being mentioned, taken on board.
2. Heard Mr. Soman, the learned counsel appearing for the Revision Applicant and Mr. Shukla, the learned counsel appearing for Respondent No.1.
3. It appears that the Small Causes Court had decreed the Suit of the Applicant/ Plaintiffs declaring them to be joint tenant along with Defendant No.1/Respondent No.1. The Appellate Court has reversed the decree of the Trial Court, which would mean that

Respondent No.1-Defendant No.1 would claim exclusive rights in respect of the permanent alternate accommodation that has been received in lieu of the original tenanted premises. Revision Applicants apprehend that Respondent No.1 is likely to create third party rights in respect of the permanent alternate accommodation on the strength of the decree passed by the Appellate Court.

4. List the Civil Revision Application for admission on **26 November 2024** as directed earlier. Till the next date of hearing Respondent No.1 shall not create any third party rights in respect of the permanent alternate accommodation nor shall part with possession thereof. Respondent No.1 shall however be entitled to have his name registered in the co-operative housing society as a member thereof, subject to the outcome of the Civil Revision Application. In the event Revision Applicants succeed in the Revision Application, appropriate orders would be passed for registration of their names in the register of member of the co-operative housing society.

5. Interim Application is accordingly disposed of.

[SANDEEP V. MARNE, J.]