



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition (WP) No. 4081 of 2024

Shri Purushottam Mahadeo Bhagat (Died) through his legal
representatives

Versus

Nitin Manikchand Sahare

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.M.Nitnaware, Advocate for the petitioners.

Ms. Vaishali Manwatkar, Advocate for the respondent.

CORAM : N.R.BORKAR, J.

DATED : 30th AUGUST, 2024.

This petition takes exception to the order dated 2nd September, 2023 passed by the learned District Judge-15, Nagpur in Misc. Civil Appeal No. 109 of 2023.

2. In a suit filed by the respondent herein for eviction and possession of the suit premises, the learned trial Court by order dated 25th January, 2023, directed the petitioner herein to deposit the arrears of rent to the tune of Rs.2,65,000/- for the period from June 2018 to

November, 2022 and to deposit the rent at the rate of Rs.5000/- per month from February, 2023.

3. By the impugned order, the learned appellate court has dismissed the appeal filed by the present petitioner against the order of the learned trial Court.

4. The learned counsel for the petitioner submits that in absence of any rent agreement or landlord-tenant relationship the order passed by the learned trial Court is without jurisdiction. It is submitted that even otherwise, the suit is bad for non-issuance of notice under Section 15 of the Maharashtra Rent Control Act.

5. The petitioner has not spelled out in what capacity he is occupying the suit premises. I am therefore not inclined to interfere with the impugned order. The petition is dismissed.

[N.R.BORKAR, J.]