



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

WRIT PETITION NO. 1028/2024

Kishor S/o Sampatrao Borkar and another
Vs.
Shivhari S/o Nagorao Ingole

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.G. Jetha, Advocate for Petitioners

CORAM: N.R. BORKAR, J.

DATED : 11th JULY, 2024

This petition takes exception to the order dated 17th January, 2024, passed by the learned Adhoc District Judge-2, Nagpur, below Exh.5 in Regular Civil Appeal No.190/2023.

2. By the order impugned the first appellate Court has stayed the decree of eviction passed by the trial Court in favour of the petitioners subject to payment of occupancy charges by the contesting respondent to the petitioners at the rate of Rs.3000/- per month.

3. The learned counsel for the petitioners submits that the learned appellate Court has not at all considered the fair rent certificate which was produced on record while directing the respondent to pay the occupancy charges at the rate of Rs.3000/- only. Considering the facts and

circumstances of the case in my view instead of examining the matter on merits, it would be appropriate to direct the learned appellate Court to decide the appeal expeditiously. Ordered accordingly.

4. The petition is disposed of in the above terms. No costs.

(N.R. BORKAR, J.)

MP Deshpande