



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

932 CIVIL APPLICATION NO. 1618 OF 2025
IN SAST/1674/2024

SHRIRAM TRYAMBAK KULKARNI

VERSUS

MANOJ PRABHAKAR JOSHI

...

Mr. Bhale Vikas S, Advocate for Applicant

Mr. Mukul S. Kulkarni Advocate for respondent No.1

...

CORAM : ROHIT W. JOSHI, J.

DATE : 19th MARCH, 2025

P.C.:

CIVIL APPLICATION NO. 1618 OF 2025

1. Vide order dated 10.04.2024 registration of the Second Appeal is refused on account of failure on the part of the appellant/applicant to remove office objections within the stipulated period.

2. Delay caused in filing of the application is condoned and the application is allowed by setting aside order dated 10.04.2024 passed by the learned Registrar (Judicial). All office objections are waived.

Second Appeal No.1674 of 2024

3. It is not in dispute that the suit premises comprise of a shop block.

4. The suit for eviction filed under Section 15 of the Maharashtra Rent control Act is decreed and appeal is also dismissed. Second Appeal will not lie, against the said decree for eviction which is confirmed in

first appeal, in as much as, the same is barred in view of Section 34(3) of the Maharashtra Rent Control Act.

5. Granting liberty to the appellant to avail such remedies as are available in law, the Second Appeal is dismissed as not maintainable. The learned Counsel for the respondent states that the decree for eviction is already executed and the respondent/landlord is in possession of the suit property.

[ROHIT W. JOSHI J.]

Narwade/