



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9037 OF 2024

THE ICHALKARANJI INDUSTRIAL CO-OP. ESTATE
LTD. THR. MANAGER & AUTHORIZED ..PETITIONER
VS.

DASTAGIR ABUL BHALDAR (DECEASED)
THR. LEGAL HEIR ..RESPONDENT

Mr. Shubham Dhenge i/b. Mr. Manoj A. Patil for petitioner.
Mr. Aditya Raktade for respondent through VC.

CORAM : RAJESH S. PATIL, J.

DATE : JULY 24, 2025.

P.C. :

1. Mr. Dhenge, learned advocate appearing for the petitioner submits that the issue involved in this proceedings is covered by the judgment of Full Bench of this Court passed in *Dr. Manohar Ramchandra Sarpore Versus The Konkan Co-operative Housing Society Ltd.* reported in *1961 SCC OnLine Bom 60*. He submits that this is a dispute between the Co-operative Society and its Members. An application for fixing standard rent was preferred by the respondents. The said application was allowed by the trial Court and the Revision Application filed by the petitioner herein was rejected.

Hence, the present Petition.

- 2.** Heard learned counsel for the respective parties.
- 3.** A case is made out to admit present Petition.
- 4.** Rule
- 5.** Mr. Raktade, learned advocate, waives rule notice on behalf of the respondent.
- 6.** Soft copy of R & P be sent by the Small Causes Court to the High Court. Original R & P should be preserved by the Small Causes Court till further orders of this Court. Original R & P to be sent to the High Court when called for.
- 7.** Printing dispensed with.
- 8.** By consent of both the sides, matter to come up on final hearing board on 31st July 2025, at 3.00 p.m.
- 9.** In the meantime, there will be ad-interim relief in terms of prayer clause (c). Prayer clause (c) reads as under :-

“c. During the pendency and final disposal of the present writ petition, this Hon’ble Court be pleased to stay the effect, implementation and operation of the impugned judgment and order dt. 19/12/2019 passed by the Ld. District Judge-2, Ichalkaraji in Civil Revision Application No.02 of 2014; and further be pleased to stay the effect and operation of the Ld. 4th Joint Civil Judge Junior Division, Ichalkaranji in Civil Misc. Application No.06 of 2005.”

(Rajesh S. Patil, J.)