

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9084 OF 2024

IN

CIVIL REVISION APPLICATION NO.5 OF 2020

Shrinivas Gopal Pandit	...Applicant
In the matter between :-	
Smt.Jaywanti Amrutlal Oswal & Anr.	...Applicants
<i>Versus</i>	
Shrinivas Gopal Pandit & Anr.	...Respondents

Mr. Satyajeet A. Rajeshirke, Advocate for Applicants.
Mr. P.D. Pandit, Advocate for Respondents.

CORAM: MADHAV J. JAMDAR, J.
DATED : 7th April 2025

P.C.:

1. It is the submission of Mr. Rajeshirke, learned Counsel for the Applicant in the Interim Application i.e. the Respondent in the Civil Revision Application that the Applicant in Civil Revision Application have obtained possession of the premises admeasuring about 400 sq. feet. He submits that the suit premises are about 70 sq. feet and decree has been passed by the learned Appellate Court on the ground of bonafide requirement.

2. Mr. Rajeshirke, learned Counsel states that the Civil Revision Application is admitted and subsequently the Applicants in Civil

Revision Application have obtained possession from their tenant of premises admeasuring about 400 sq. feet area pursuant to the confirmation of eviction decree filed in the proceedings by them against the tenant. He therefore, states that the interim relief granted be vacated.

3. Perusal of record shows that apart from the issue of bonafide requirement, there are some other issues. However, as admittedly, the Applicants i.e. original Defendants have received possession of 400 sq. feet area, whereas the suit premises is only 70 sq. feet., add the Civil Revision Application in the final hearing board commencing from 9th June 2025. To be shown fairly high on board.

4. The Interim Application is disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)