

K.R. Gadekar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12642 OF 2025

Tarabai Jagannath Varma

....Petitioner

Versus

Srinath Chintamani Bhandare
through Power of Attorney Holder
Ravi Chintamani Bhandare

...Respondent

WITH
INTERIM APPLICATION NO.9366 OF 2025
IN
WRIT PETITION NO. 12642 OF 2025

Srinath Chintamani Bhandare
through Power of Attorney Holder
Ravi Chintamani Bhandare

...Applicant

Mr. Rajendra Kalebere and Mr. Jayesh Kalebere i/b Mr. Rajendra Kalebere, for the Petitioner.

Mr. S. S. Patwardhan a/w Padmanabh D. Pise & Ms. Sejal A. Hariyan i/b P. Padmanabh and Associates, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.
DATED: 01 DECEMBER 2025

P.C.:

1. At the outset, Mr. Kalebere, learned Counsel appearing for the Petitioner seeks leave to implead the Revision Applicant in Revision Application No.669 of 2024-Hareram Varma, as Respondent No.2 to the

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Writ Petition.

2. Accordingly, leave as sought is granted. Amendment be carried out forthwith. Reverification is dispensed with.

3. Interim Application No.9366 of 2025 is taken out by original Respondent – Shrinath Chintamani Bhandare seeking prayer to vacate the ad-interim relief granted by this Court by Order dated 8th January 2025 in terms of prayer clauses (b) and (c). Alternatively, it is prayed that the Writ Petition be taken up for final hearing, immediately.

4. Mr. Patwardhan, learned Counsel appearing for the Respondent No.1-Shrinath Bhandare, on instructions of the Respondent No.1, states that the Respondent No.1 has no objection if the Writ Petition is disposed of in terms of prayer clause (a).

5. In view of the said statement made by Mr. Patwardhan, learned Counsel of the Respondent No.1, Mr. Kalebere, learned Counsel appearing for the Petitioner submits that interim relief granted in this Writ Petition in terms of prayer clause (b) and (c) be continued for about two months as the Petitioner will file an appropriate application before the learned Additional Commissioner, Pune Division, Pune in Revision No.669 of 2017 seeking interim relief.

6. Accordingly, by consent of the Petitioner and the Respondent No.1, following Order is passed:

ORDER

- i) Order dated 6th December 2024 passed by the learned Additional Divisional Commissioner, Pune Division, Pune passed on application dated 21st November, 2024 filed by the Petitioner – Third Party in Revision No. 669 of 2024 is quashed and set aside.
- ii) Application dated 21st November 2024 filed by the Petitioner in Revision Application No.669 of 2024 pending before Additional Divisional Commissioner, Pune Division, Pune is allowed.
- iii) Newly added Respondent No.2-Hareram Verma to implead Petitioner-Tarabai Verma as party, Respondent No.2 to the said Revision Application No.669 of 2024 pending before Additional Divisional Commissioner, Pune Division, Pune.
- iv) Ad-interim protection granted by this Court by Order dated 8th January 2025 in terms of prayer clauses (b) and (c) shall remain in operation till 16th January 2026. The said prayer Clauses (b) and (c) read as under :

(b) This Hon'ble Court be pleased to give direction to respondent No.1 or his agent or his power of attorney holder not to dispossess the petitioner from disputed flat described in para No.1 of the writ petition.

(c) This Hon'ble Court be pleased to stay execution proceedings in Execution proceeding No. 45/2024 pending before Competent authority Pune dated 05.12.2024 till the disposal of revision application No. Rent/Revision/Pune/669/2024.

v) The petitioner is at liberty to file appropriate application before Additional Divisional Commissioner, Pune Division, Pune seeking interim relief in terms of prayer clause (b) and (c) or other reliefs. It such application is filed, Additional Divisional Commissioner, Pune Division, Pune to decide the same on or before 16th January, 2026 or to consider ad-interim reliefs before 16th January, 2026.

vi) It is clarified that contentions of both the parties on merits are expressly kept open.

7. Accordingly, Writ Petition is disposed of in above terms with no order as to cost.

8. In view of the disposal of Writ Petition, nothing survives in the Interim Application, hence stands disposed off.

[MADHAV J. JAMDAR, J.]