



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1687 of 2025

[Late Shri Prafulchandra Mayaram Mehta through his Son
Chandrashekhar P. Mehta ..vs.. Late Shri Krushnarao Ramchandra
Ghormade, through his son Shri Tejrao K. Ghormade and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. D. Samel, Advocate for the petitioner

CORAM : ANIL L. PANSARE J.

DATED : 27-03-2025

Heard.

The challenge is to order dated 22-8-2023 passed
by competent authority under Rent Control Act Court, Nagpur.

During the course of argument, one of the questions
that cropped up is whether the proceedings before the Rent
Controller were closed subsequent to appeal having been
decided in the year 2015. The averment to that effect finds
place in paragraph no. 2 of the reply filed by the petitioners to
the application seeking to bring on record, the legal
representatives of original parties.

The application filed by the respondents to bring on
record the legal representatives of the original parties before
the Rent Controller indicates that the proceedings before the
Rent Controller were not traceable and it was only upon filing
application under the Right to Information Act by the
respondents, the case was fixed for hearing on 21-11-2022. It
further appears that names of legal representatives of both the
parties were brought on record in an appeal filed against
judgment passed by the Rent Controller. The judgment was set
aside and the case remanded back, meaning thereby, that the
rent control case was restored to the file of the Rent Controller.

The question, therefore, is whether subsequent to the case having been remanded back, was the case closed and filed. As stated earlier, the petitioner made an averment in the reply filed to application to bring on record legal representatives of the parties that the case was closed and filed.

The order impugned and/or application filed for bringing legal representatives on record, however, does not indicate that the proceedings before the Rent Controller were closed. The petitioner shall, therefore, place on record the copy of order by which Rent Control Case No. 30/A-71(1)/1989-90 (old) and Case No. 36/A-71(1)/2022 (new) was closed and filed.

List in the week commencing from 14-4-2025.

(Anil L. Pansare, J.)

wasnik