

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6317 OF 2025

Yashi Kumari Jadeja
Versus
Uttam Parmar & Anr.

...Petitioner
...Respondents

Mr. Sanjay Bhojwani a/w. Mr. Naresh Parihar, for the Petitioner.
Mr. Faiyaj Khan a/w. Mr. Kunal Haresh Punjabi i/b. Mr. Nitin P. Deshpande, for the Respondents.

CORAM: MADHAV J. JAMDAR, J.
DATED : 9th FEBRUARY 2026

PC:-

1. Heard Mr. Bhojwani, learned Counsel appearing for the Petitioner and Mr. Khan, learned Counsel appearing for the Respondents.

2. By the present Writ Petition filed under Article 227 of the Constitution of India, the challenge is to the legality and validity of the order dated 15th April 2025 passed by the Competent Authority, Rent Control Act, Pune Division, At-Pune below Exhibits 1 and 9 in Execution Application No.8 of 2025 in Application No.26 of 2015. By the impugned order, warrant of possession has been issued.

3. This Court by order dated 8th May 2025 has granted interim relief in terms of prayer clause (iii) till next date. The paragraph No.5 of the said order dated 8th May 2025 reads as under:

“5. Mr. Bhojwani, learned Counsel states that no notice of said Execution Application which has been filed in the year 2025 has been received by the Petitioner. He states that the Petitioner has already filed Civil Suit. In the said Civil Suit, learned 14th Joint Civil Judge, Junior Division, Pune passed order dated 25th January 2016 below Exhibit-5 in Regular Civil Suit No.433 of 2015 restraining the Defendants from disturbing peaceful possession of the Plaintiff i.e. the Petitioner of the suit property till final disposal of the suit. He further states that the Respondent has challenged the said order by filing Miscellaneous Civil Appeal No.302 of 2016 and by order dated 7th February 2017, the said Appeal has been dismissed. Thus, he prays that there is injunction order in his favour since January 2016.”

4. It is the contention of learned Counsel appearing for the Respondents that in the Civil Suit, the order has been passed directing is not to disturb the possession of the Petitioner.

5. In the meanwhile, Mr. Bhojwani, learned Counsel appearing for the Petitioner submits that the Petitioner has challenged the order dated 30th December 2024 passed by the Competent Authority, Rent Control Act, Pune Division, At-Pune in Application

No.26 of 2015 by filing Revision Application No.20 of 2026 before the Divisional Commissioner, Pune Division, Pune.

6. As the said Revision Application is already filed, the Divisional Commissioner, Pune Division, Pune shall dispose of the said Revision Application No.20 of 2026 on or before 30th June 2026.

7. Till the disposal of the said Revision Application No.20 of 2026 by the Divisional Commissioner, Pune Division, Pune, the order dated 30th December 2024 passed by the Competent Authority, Rent Control Act, Pune Division, At-Pune in Application No.26 of 2015 be not executed.

8. Accordingly, the Writ Petition is disposed of in above terms with no order as to costs.

9. It is clarified that this Court has not considered the contentions raised by the parties on merits and all contentions of the parties are expressly kept open.

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[MADHAV J. JAMDAR, J.]