

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 3390 OF 2026**

Pradnya Kuldeep Surve

**...Petitioner**

V/s.

Nirmala Suresh Tandale And Ors

**...Respondents**

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**Mr. Dushyant Pagare** *for Petitioner.*

**Ms. Savina R. Crasto**, *AGP for Respondent-State.*

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**CORAM: SANDEEP V. MARNE, J.**

**DATED: 15 APRIL 2026.**

**P.C.:**

1) The challenge in the Petition is to the order dated 21 January 2026 passed by the Revisional Authority under Section 44 of the Maharashtra Rent Control Act, 1999 rejecting the Revision Petition against order dated 30 June 2025 by which the competent authority has refused to grant leave to defend in favour the Petitioner.

2) I have heard Mr. Pagare, the learned counsel appearing for Petitioner and Ms. Crasto, AGP for Respondent-State and I have considered submissions canvassed by them.

3) There is no dispute to the position that the tenure of lincense has expired on 14 April 2024. It is the belief of the Petitioner

that the licensor has agreed to sell the flat to the Petitioner. If that is the case, Petitioner would be free to prosecute suit for specific performance of the alleged Agreement for Sale. It is pointed out that such a suit has already been filed.

4) Undoubtedly, the entry into the licensed premises by the Petitioner is through the license and not on the basis of the alleged Agreement for sale. Therefore, upon expiry of tenure of license Petitioner must vacate possession of the licensed premises. In the event Petitioner succeeds in suit for specific performance, it would be open to the Petitioner to apply for recovery of possession of the licensed premises from the licensor. No infirmity is traced in the impugned orders.

5) Writ Petition is accordingly rejected.

**[SANDEEP V. MARNE, J.]**