



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4131 OF 2026**

Raju Ramchandra Dhebe

...Petitioner

V/s.

Rakhi Anil Jain and Ors.

...Respondents

Mr. Sangharsh Apte *with Mr. Vilas Sonawale, Mr. Ramesh Golait and Mr. Dinesh R. Sonawane for the Petitioner.*

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

CORAM: SANDEEP V. MARNE, J.

DATED: 30 MARCH 2026.

P.C.:

- 1) Not on board. Upon being mentioned, taken on board.
- 2) Petition challenges order dated 5 February 2026 passed by the Revisional Authority dismissing the order of the Competent Authority dated 27 January 2025.
- 3) According to the Petitioner himself, the revision was filed after delay of 280 days. Apart from the fact that the Revisional Authority is not invested with power of condonation of delay on account of non-application of provisions of Section 5 of the Limitation Act to proceedings under Sections 24 and 44 of the Maharashtra Rent Control Act, 1999, I otherwise do not find any reason why present Petition

deserves to be entertained. The license has expired in February-2024. The Petitioner relies on execution of alleged agreement for sale under which he agreed to purchase the premises at a consideration of Rs.1,90,00,000/-. Out of the agreed consideration only an amount of Rs.1,50,000/- is paid by the Petitioner. If the Petitioner believes that an agreement for sale is executed in his favour, he would be at liberty to file suit for specific performance thereof. Mere execution of such agreement cannot be a reason for holding onto the possession of a licensed premises. Possession of the licensed premises is secured by the Petitioner in his capacity as licensee and not towards part-performance of the agreement for sale. Agreement for sale is otherwise not a registered document and therefore, under provisions of sub-section (1A) of Section 17 of the Registration Act, 1908, Section 53A of the Transfer of Property Act, 1882 would not apply to the present case.

4) In my view therefore, there is no warrant for the interference in the impugned order. Writ Petition is accordingly **rejected**.

[SANDEEP V. MARNE, J.]