



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO.769/2025 (FOR DELAY) WITH
MISC. CIVIL APPLICATION (REVIEW) NO.15919/2025 IN
WRIT PETITION NO.2785/2025 (D)

Ravindra Prabhakar Ghadekar .Vs. Vinod Uttamrao Hantodkar 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. S. M. Vaishnav, Advocate for applicant.

CORAM : **ANIL L. PANSARE, J.**

DATE : **09.01.2026**

By present application, the applicant is seeking to condone the delay of 5 days in filing review application.

2. None appears for the non applicant, though served.

3. The delay being trivial, the same is condoned, for the reasons stated in the application. The review application be registered as per the rules.

4. The application is disposed of.

Misc. Civil Application (Review) St. No. 15919/2025

Heard.

2. Review is sought on the ground that the plea of ownership as put forth by the applicant – original petitioner has been not considered. This ground appears to me to be contrary to what is mentioned in the order sought to be reviewed, which reads as under:

“1. Heard.

2. The petitioner is before the Court against the concurrent findings. The respondent No.1 (original plaintiff) filed the suit against the petitioner and other respondents for eviction and recovery of arrears. Both the Courts below have noted that the petitioner and other respondents failed to pay rent despite receiving notice and further during pendency of the suit. That being so and taking aid of Section 15 of the Maharashtra Rent Control Act, 1999, both the Courts have rendered concurrent findings in favour of the

respondent No.1 and thereby passed decree of eviction.

3. The learned counsel for the petitioner though made an attempt to show that the respondent No.1 was not the owner of the suit premises, there is nothing in the evidence or pleadings to substantiate the said stand. In fact, the Courts below have noted that the respondent No.1 has placed on record sale deed and more importantly the petitioner has admitted in cross- examination that the respondent No.1 has purchased the suit property from the erstwhile owner and that being so, there is absolutely no substance in the plea put-forth by the petitioner that the respondent No.1 was not the owner. The petitioner failed to show any perversity in the concurrent findings rendered by the Courts below. There is no merit in the petition. The petition is dismissed. No costs."

3. As could be seen, in paragraph 3, counsel for applicant – original petitioner made an attempt to show that respondent No.1 was not owner of the suit premises. I have taken note of the evidence including cross-examination of the petitioner wherein he admitted that respondent No.1 has purchased suit property from the erstwhile owner. Thus, plea of ownership was considered. It cannot be, therefore, urged that the plea of ownership has been not considered. In other words, requirement of reviewing order is not made out. The review application is accordingly rejected.

(Anil L. Pansare, J.)