



Swapnil

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 564 OF 2016**

Gautam Ramprasad Shah and Anr. ... Appellants

Vs.

Rajkumari Rammurti Tiwari and Ors. ... Respondents

Mr. Chetan a/w. Ms. Prachi Kabra for the appellants.

CORAM : GAURI GODSE, J.

DATE : 1st APRIL 2026

ORDER :

1. This second appeal is preferred by the original defendants to challenge the concurrent judgments and decrees for eviction passed in the suit filed under the Maharashtra Rent Control Act, 1999. The trial court had decreed the suit.

2. The appeal preferred by the defendants, i.e. the present appellants is dismissed. Further appeal is not provided in view of sub-section (3) of Section 34 of the Maharashtra Rent Control Act, 1999. Hence, this second appeal is not maintainable.

3. The second appeal, is therefore, dismissed as not

maintainable.

4. The appellants would be at liberty to adopt appropriate proceedings as permissible in law.

5. It is clarified that if the appropriate proceedings are initiated within six weeks from today, the appellants would be entitled to seek benefit of the period of pendency of this second appeal for seeking condonation of delay.

6. Pending civil application, if any, is disposed of as infructuous.

[GAURI GODSE, J.]