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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2594 OF 2018

Hansakumari R. Chhabria ...Petitioner
V/s.
Jyoti S. Patil & Ors. ...Respondents

WITH
CIVIL REVISION APPLICATION NO.197 OF 2016

Jyoti S. Patil & Ors. ...Petitioners
V/s.
Hansakumari R. Chhabria ...Respondent

Mr.Prasad Dani, Senior Counsel with Ms.S. Sheth and Ms.Kalyani Deshmukh i/b FZB & Associates for the Petitioner in WP No.2594 of 2018 and for the Respondent in CRA No.197 of 2016.

CORAM : RAJESH S. PATIL, J.
DATE : 24TH JANUARY, 2024.

P.C. :-

1. The Writ Petition No.2594 of 2018 is filed by the original Defendant / tenant, challenging, only findings / observations in the impugned judgment passed by the Appellate



Bench of the Small Causes, Mumbai.

2. Mr.Dani, senior advocate appearing for the Petitioner submits that suit was filed for eviction on the ground of *bona-fide* requirement of the Trust. The Appellate Court dismissed the suit filed by the landlord, thereby reversing the decree passed by the Trial Court. Mr.Dani further submits that the Landlord has already filed a Civil Revision Application under Section 115 of the Code of Civil Procedure before this Court by way of Civil Revision Application No.197 of 2016. He further submits that Civil Revision Application No.197 of 2016 has been admitted by this Court by its order dated 6 October 2016. Mr.Dani therefore, submits that Writ Petition No.2594 of 2018, which is filed by the tenant can be tagged along with Civil Revision Application No.197 of 2016.

3. Rule.

4. Writ Petition No.2594 of 2018 to be tagged with Civil Revision Application No.197 of 2016.

5. In the meantime, the Petitioner is directed not to create any third party rights in respect of the suit premises. The



Petitioner is further directed to pay the agreed rent to the landlord, during the pendency of the Writ Petition.

(RAJESH S. PATIL, J.)