

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL REVISION APPLICATION NO. 740 OF 2023**

SANTOSH  
SUBHASH  
KULKARNI

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SANTOSH SUBHASH  
KULKARNI  
Date: 2025.07.10  
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Barot Kamal Jeevan & Ors ..Applicants

**Versus**

Dinesh Gangji Kanji Alias Dinesh Gangji ...Respondents  
Savla & Ors

Mr. K. M. Singh, for the Applicants.

Mr. Jaydeep Deo, for the Respondents.

**CORAM: N. J. JAMADAR, J.**

**DATED : 10<sup>th</sup> JULY 2025**

**P.C.:**

1. Heard the learned Counsel for the parties.
2. The question as to whether the Appellate Court could have interfered with the findings of the lower court in regard to proof of the purported Service Tenancy Agreement by resorting to the presumption contained under Section 90 of the Evidence Act, warrants consideration.
3. Issue notice to the respondents.
4. Mr. Deo, the learned Counsel, waives notice for the respondents.

5. Having regard to the nature of the dispute and the fact that the purported Service Tenancy Agreement was executed in the year 1970, it may be expedient to hear revision application expeditiously.
6. Stand over to 29<sup>th</sup> September, 2025.
7. The parties are at liberty to file compilation of documents.
8. In the meanwhile, there shall be an ad-interim relief in terms of prayer clause (c) till the hearing and final disposal of the revision application.

**[N. J. JAMADAR, J.]**