

VRJ

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

CIVIL REVISION APPLICATION NO.320 OF 2023

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G. P. Associates, A Partnership Firm ... Applicant

V/s.

Pawankumar Ramchander Prasad & Ors. ... Respondents

Mr. Prasad Dani, Senior Advocate with Mr. R. M. Haridas for the applicant.

Mr. Pawankumar R. Prasad, respondent No.1 appears in-person.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 5, 2023

P.C.:

1. Arguable questions are raised. Hence, **rule**.
2. On prima facie reading of the plaint and the order passed by this Court arising out of an objection raised by the plaintiff under Order 21 Rule 97 of the Civil Procedure Code, 1908, it appears that prima facie the civil suit challenging a decree passed by the Rent Court is not maintainable.
3. Essentially, the applicant is seeking enforcement of rights conferred under the provisions of the Maharashtra Rent Control Act, 1999. Therefore, the Civil Court prima facie has no power to entertain said suit.
4. Hence, interim relief in terms of prayer clause (c).

(AMIT BORKAR, J.)