

ITEM NO.45

COURT NO.8

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 2301/2017

(Arising out of impugned final judgment and order dated 23-11-2016 in CIVIL REVISION APPLICATION No. 135/2016 passed by the High Court Of Judicature At Bombay At Aurangabad)

CHAMELIBAI (DEAD) THR. LRS.AND ORS.

Petitioner(s)

VERSUS

ANIL AND ORS.

Respondent(s)

(IA 1/2017 - Exemption from filing C/c of the impugned judgment)

Date : 15-02-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Vinay Navare, Adv.  
Mr. Atul Babasaheb Dakh, AOR

For Respondent(s) Mr. Manish Goswami, Adv.  
Mr. Uday B. Dube, AOR

UPON hearing the counsel the Court made the following  
O R D E R

We have heard Mr. Vinay Navare, learned counsel for the petitioners and Mr. Manish Goswami, learned counsel appearing for respondent no. 1.

When the matter is called, Mr. Manish Goswami, learned counsel appearing for the respondent-landlord, has brought to our notice that decree of eviction is executed and landlord was put in possession by the trial Court on 21<sup>st</sup> January, 2017. This Court, while ordering notice on 03.02.2017, ordered to maintain status quo with regard to the property in question, as on the said date.

Having regard to the fact that the possession is already delivered to the respondent-landlord, in execution of the decree passed by the Trial Court, and further having regard to findings recorded on merits by the Trial Court, as affirmed by the Appellate Court and High court, we do not find any merit in the special leave petition to consider further.

The special leave petition is accordingly dismissed.

Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)  
COURT MASTER

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER