

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 2120 OF 2004

SUHAS RAMCHANDRA APTE

Appellant(s)

VERSUS

VASANTRAO SHANKARRAO BHOSLE (D) THR.  
LRS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. According to the learned counsel for the appellant, Section 11(3) of the Bombay Rent Act, 1947, as applicable to the State of Gujarat, has been followed in the instant case whereas Section 11(3) that is applicable in Mumbai is different. If that be so, it is an error apparent on the face of the Court which the High Court should correct at the first instance.

2. Accordingly, we dispose of this appeal with liberty to the appellant to file an application for review before the High Court within 30 days from today. If the appellant is able to satisfy the High Court that the High Court has followed a provision which is not applicable to the State of Maharashtra, needless to say, appropriate orders for recalling the Judgment and passing a fresh Judgment in the light of the applicable provisions will be rendered.

3. Being a litigation which started in the year 1977, we request the High Court to dispose of the review application, if filed, expeditiously and preferably within three months from the date of production of a copy of this judgment.

4. We make it clear that in the nature of the order we have passed above, we have not considered the matter on merits.

No costs.

.....J.  
[ KURIAN JOSEPH ]

.....J.  
[ R. BANUMATHI ]

New Delhi;  
AUGUST 09, 2017.

ITEM NO.102

COURT NO.6

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

Civil Appeal No(s). 2120/2004

SUHAS RAMCHANDRA APTE

Appellant(s)

VERSUS

VASANTRAO SHANKARRAO BHOSLE(D) THR. LRS.

Respondent(s)

Date : 09-08-2017 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Appellant(s) Mr. Chinmoy Khaladkar, Adv.  
Ms. Aniruddha Deshmukh, AOR

For Respondent(s) Mr. Braj K. Mishra, Adv.  
Mr. Vijay Kumar, Adv.  
Ms. Vandana Gogna, Adv.  
Mr. Vishwajit Singh, AOR  
Ms. Aparna Jha, Adv.

Mr. Varinder Kumar Sharma, AOR

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

The appeal is disposed of in terms of the signed  
non-reportable Judgment

Pending interlocutory applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(SUMAN JAIN)  
COURT MASTER

(Signed non-reportable Judgment is placed on the file)