

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL REVISION APPLICATION NO. 207 OF 2014
(Fakira Sheku Jadhav and another Vs. Laxmibai Fakira
Ganorkar alias Laxmibai w/o Mahadu Bhakare and another)

None for the revision petitioner
Mr. D.L. Agrawal, Advocate for the respondents

CORAM : M.T. JOSHI, J.

DATE : 29/04/2015

ORAL ORDER :

1. None for the revision petitioner. On the last date, nobody had appeared for the petitioner and earlier thereto, the adjournments were sought on behalf of the petitioner.

2. Heard Mr. D.L. Agrawal, learned counsel for the respondents.

3. The record would show that the regular civil suit is pending since the year 2000. The issue regarding the tenancy was modified by the trial court. The same was challenged by the present petitioner by way of civil revision application No. 1131/1996. In the revision application, this court has directed for

continuation of the trial. Thereafter, on 17th December, 2012, the present petitioner filed an application for rejection of the plaint on the same ground. By the said application, again the plea regarding provision of sections 98 and 99 of the Hyderabad Tenancy and Agricultural Lands Act is taken.

. Considering all the facts on record, in my view, no material irregularity is committed by the learned Civil Judge in dismissing the application.

4. It is to be noted that the suit is at the fag end and the issues those have arisen in the suit, would be required to be decided by the learned Civil Judge Junior Division on its own merit. In the circumstances, civil revision application is hereby dismissed with costs.

. The learned Civil Judge Junior Division, Kannad to take note of the earlier direction to have expeditious hearing of the suit.

[M.T. JOSHI]
JUDGE