

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 11144 OF 2015

Baburao s/o Vitthal Kshirsagar
& others

.. PETITIONERS

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. M.S. Indani, advocate for petitioners.
Mrs. A.V. Gondhalekar, AGP for the State.

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**CORAM : R.M. BORDE &
A.I.S. CHEEMA, JJ.
DATE : 19th NOVEMBER, 2015.**

PER COURT :

1. This petition is presented seeking directions to the tenancy authority to take decision on the tenancy application presented by petitioner in the year 2011. In our opinion, the directions need not be issued and, it would be open for the Tahsildar to take decision in the matters in accordance with the seniority of applications pending with him.

2. Another prayer, claiming issuance of certificate declaring the petitioner as protected tenant and the owner of the land, is also sought for. It is not understandable as to how the relief in respect of grant of declaration and for issuance of tenancy certificate can be granted during the pendency of the proceeding and in the circumstances when the tenancy application itself has not been dealt with by the Tahsildar.

3. It is further informed that the Tahsildar has already heard the matter. In these circumstances, it would be open for the petitioners to approach the Tahsildar for rendering decision at the earliest point of time. With liberty as aforesaid, writ petition stands disposed of.

(A.I.S. CHEEMA)
JUDGE

(R. M. BORDE)
JUDGE

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