

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5031 OF 2015

Smt. Housabai Rajaram Gaikwad
(since decd.) through LRS
Vitthal Rajaram Gaikwad

... Petitioner

vs.

The Sub-Divisional Officer,
Wai Sub-Division & Ors.

... Respondents

.....

Mr. K.K. Malpathak for the petitioner.

....

CORAM : M.S. SONAK, J.

DATE : 18th NOVEMBER, 2015.

P.C.:

1. The petitioner had instituted Revision Petition No. 19 of 99 to challenge the order of ALT dated 15/01/1965 after inordinate delay of 34 years, even though, the provision contained in Section 76A of the Bombay Agricultural Tenancy Act prescribed limitation period of one year. In such circumstances, the Maharashtra Revenue Tribunal (MRT) was justified in interfering with order made by the Revisional Authority. There is no jurisdictional error in the making of the impugned order. This petition is therefore dismissed. However, it is clarified that the dismissal of this petition shall not preclude the petitioner from pursuing any other remedy, if available in law. With the aforesaid observation this petition is disposed of there shall be no order as to costs.

(M.S. SONAK, J.)