

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
(Civil Appellate Jurisdiction)**

SECOND APPEAL NO. 884 OF 2012

(Shantaram Kashiram Kengle Appellant
vrs
Sonu Dhondur Talpe and others Respondents)

Mr. S.A.Sawant, Advocate, for appellant
Mr. J.S.Kapre, Advocate, for Respondent No.2

**CORAM : R.K.Deshpande, J.
DATED : 16th JUNE, 2015.**

The trial court has dismissed the suit claiming declaration that the sale deed dated 16.07.2012 was hit by the provisions of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974. The appellate Court has dismissed the appeal. Hence, the original plaintiff is before this Court in this second appeal.

Undisputedly, the sale deed in question is dated 16.07.1912. Section 2(i) of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974, covers the transfers made during 1st April, 1957 and 6th July, 1974. Obviously, the transfer in question is much prior to that. Hence, the provisions of the said Act are not at all attracted. No substantial question of law arises. The second appeal is dismissed.

(R.K.DESHPANDE, J.)