

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

23 LETTER PATENT APPEAL NO. 97 OF 2012
WITH CA/5576/2012

SITARAM TUKARAM MALI THR GPA DIGAMBAR SITARAM MALI
VERSUS
RAMDAS MADHAV MALI AND ORS

...

Advocate for Appellant : Mr. Kakade Amol N.
Mr. Shah J.R., Adv. For R/1 .

**CORAM : R.M.BORDE &
P.R.BORA,JJ.**

DATE : 8th March, 2016.

PER COURT :

1) Heard. In view of the liberty granted by learned Single Judge of this court, while dealing with Writ Petition No.2248 of 2011 decided on 6th February, 2012, the respondents tendered Tenancy Appeal under Section 84 of The Bombay Tenancy and Agricultural Lands Act, 1948 to Collector Jalgaon. The learned Single Judge of this court has directed the concerned Collector to consider the factum of time spent for prosecuting the remedy of writ petition by the respondents while considering the aspect of condonation of delay in presenting the appeal by the respondents. It does appear that after presentation of the appeal by the respondents, the

Collector proceeded to condone the delay and allowed the appeal presented by the respondents.

2) The appellant herein has raised challenge to the order passed by the Collector in Revision Application presented to the Maharashtra Revenue Tribunal. Since in terms of the directions issued by the learned Single Judge of this Court, the respondents preferred the appeal, which was entertained and has been decided, the instant Letters Patent Appeal is rendered infructuous. The Letters Patent Appeal, as such, stands disposed of. Pending Civil Application does not survive and the same stands disposed of.

(P.R.BORA)
JUDGE

(R.M.BORDE)
JUDGE

bdv/