IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.7838 OF 2016

Bhausaheb Bajirao Gaikwad and others .. Petitioners
Versus
Maharashtra Revenue Tribunal,
Pune Division, Pune and others .. Respondents

Mr. G. S. Jadhav, for the Petitioners.
Ms. V. S. Nimbalkar, AGP for the Respondent Nos.2 to 4.

CORAM : R.M. SAVANT, J.
DATE : 23rd MARCH 2016

P.C.

1. The order dated 16.12.2015 passed by the Maharashtra Revenue Tribunal allowing the impleadment of the Respondent Nos.9 and 11, by which order, the Review Application filed by the Petitioners came to be dismissed and resultantly, the order dated 13.10.2015 allowing the application for impleadment filed by the Respondent Nos.8 and 9 came to be confirmed.

2. The Petitioners herein are the Appellants before the Maharashtra Revenue Tribunal in proceedings under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961. The Petitioners are claiming allotment of lands which are comprised in Gat Nos. 421 and 422.

The Respondent Nos.8 and 9 have sought their impleadment on the basis of a letter of the Managing Director of the Maharashtra State Farming Corporation dated 17.09.2014 addressed to the Sub Divisional Officer, Phaltan Sub Division, Phaltan, in which it is indicated to the Sub Division Officer that land comprised in Gat No.422 admeasuring 2 Hector and 62 Ares and land in Gat No.421 admeasuring 0.52 Ares be alloted to the Respondent Nos.8 and 9. The said application was allowed by the Maharashtra Revenue Tribunal by the order dated 13.10.2015. Against the said order, the Petitioners filed a review, which Review Application has been rejected by the Maharashtra Revenue Tribunal by the impugned order dated 16.12.2015.

3. The Learned Counsel for the Petitioners questions the entitlement of the Respondent Nos.8 and 9 to the allotment of the land on the basis of the letter of the Managing Director of the Maharashtra State Farming Corporation. It is not necessary for this Court to go into the said aspect as the Maharashtra Revenue Tribunal on a prima-facie view has found that the Respondent Nos.8 and 9 are claiming some interest in the lands which are the subject matter of the Appeal and which are referred in the letter of the Managing Director of the Maharashtra State Farming Corporation. As indicated above, the Maharashtra Revenue Tribunal has only allowed the impleadment of the Respondent Nos.8 and 9 in the

Appeal filed by the Petitioners. The Petitioners would undoubtedly be entitled to make submissions in the Appeal as regards the entitlement of the Respondent Nos.8 and 9 to the allotment of the said lands on the basis of the letter of the Managing Director of the Maharashtra State Farming Corporation. Needless to state that the contention of the parties are kept open for being urged before the Maharashtra Revenue Tribunal. The Maharashtra Revenue Tribunal would undoubtedly decide the Appeal in question on its own merits and in accordance with law. With the aforesaid observations the Writ Petition is disposed of.

[R.M. SAVANT, J]