

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

M.C.A.(Restoration)No.823/2016 in Writ Petition No.5112/2014(D)

Smt.Venubai wd/o Gopalrao Chaudhari, through Power of Attorney
A.B.Mahore

Vs..

The State of Maharashtra, Through Secretary, Revenue & Forest Department,
Mantralaya, Mumbai and 2 others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri P.S.Patil, Advocate for the applicant.

CORAM : R.K.DESHPANDE, J.

DATE : 02.12.2016

This application is taken out for restoration of writ petition, which was dismissed for want of prosecution.

Heard Shri P.S.Patil, the learned counsel for the applicant.

For the reasons stated in the application, the same is allowed. Writ Petition No.5112/2014 is restored to file.

MCA is disposed of accordingly.

Writ Petition No. 5112/2014

Heard Shri P.S.Patil, learned counsel for the petitioner.

Tahsildar recorded a finding that Shalikgram has failed to establish his tenancy in respect of the suit property and this finding is reversed by the Sub Divisional Officer in appeal and the order of Sub Divisional Officer has been maintained by Maharashtra Revenue Tribunal (MRT) in revision. Hence, this writ petition.

With the assistance of the learned counsel for the petitioner, I have gone through the order passed by MRT, which is impugned in this petition. The MRT has considered each and every findings recorded by the Tahsildar and after considering the oral and documentary evidence placed on record and the finding recorded by the Sub Division Officer, recorded a finding that Shalikgram has established his tenancy over the suit field. The findings of fact are based upon the evidence available on record.

There is neither jurisdictional error nor any error in law arises for consideration in this petition. The writ petition is dismissed.

JUDGE

Andurkar