

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

BENCH AT AURANGABAD.

WRIT PETITION NO.19 OF 2015

Laxman S/o Gena Sirsat ...Petitioner.

Versus

Tatyasaheb S/o Tulsiram
Yeole and others. ... Respondents.

...
Mr.N.R.Shaikh, advocate for the petitioner.
Mr.S.G.Karlekar, A.G.P. for the State.
Mr.D.G.Nagode, advocate for Respondent No.1
Caveator
...

CORAM : S.V.GANGAPURWALA J.

Date : 12.12.2017.

PER COURT :

1. Mr.Shaikh, learned counsel for the petitioner submits that against the judgment of the Maharashtra Revenue Tribunal in favour of the present Respondent/landlord determining the tenancy, the petitioner has filed Writ Petition bearing W.P.No.3232/2008. The said Writ Petition is admitted by the Court and pending for final

disposal. The learned counsel further submits that the protected tenant has the first right to purchase. The learned counsel relies on the judgment of the Apex Court in the case of **"B.Bal Reddy Vs. Teegala Narayana Reddy and others"** reported in **AIR 2016 Supreme Court 3810**.

2. I have also heard Mr.Nagode, learned counsel and learned A.G.P. for Respondents.

3. The entries in the revenue record are meant for fiscal purposes. The entry directed to be recorded of the present Respondent in the revenue record would always be subject to the decision of Writ Petition No.3232/2008 filed by the petitioner against the judgment of the MRT. In the Writ Petition filed by the petitioner, the judgment of the MRT is not stayed. The mutation entry would be consequence of the judgment delivered by the MRT and as the Writ Petition is pending before this Court, the mutation entry would be subject to the decision in the pending Writ Petition.

4. With these observations, the Writ
Petition is disposed of. No costs.

(S.V.GANGAPURWALA, J.)

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