

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3279 OF 2015

01 Pushpadevi Dagdulal Soni,
age: 64 years, Occ: Housewife;

02 Pradeep Dagdulal Soni,
age: 49 years, Occ: Business;

03 Shailesh Dagdulal Soni,
age: 39 years, Occ: Business;

04 Nilesh Dagdulal Soni,
age: 31 years, Occ: Business;

05 Sadhana Girishkumar Ostawal,
age: 44 years, Occ: Business;

All R/o Post Office Road, Hingoli,
Taluka & District Hingoli.

Petitioners

Versus

01 The Collector,
Collector Office, Hingoli.

02 The Tahsildar,
Tahsil Office, Hingoli.

03 Rahibai Gangaram Mane,
died (L.Rs. On record as
Respondents No.4 & 5).

04 Rekha Mohan Mane,
age: 49 years, Occ: Housewife;

05 Santosh Mohan Mane,
age: 30 years, Occ: Agril.,

Respondents No.4 & 5
R/o Mahantwadi Gurudwara,
Nanded.

Respondents

Mr.P.V.Barde, advocate for petitioners
Mr.S.R.Yadav (Lonikar), A.G.P. for Respondents No.1 & 2.
Respondent No.3 died.

Mr.M.V.Ghatge, advocate for Respondents No.4 & 5.

CORAM : S.B.SHUKRE, J.
DATE : 23rd January, 2017

ORAL JUDGMENT :

1 Heard. Rule. Rule made returnable forthwith and heard finally by consent of learned Counsel for respective parties.

2 Even though it is contended that provisions of Section 93 of the Hyderabad Tenancy Act makes applicable the provisions of the Limitation Act, I find that this contention is misconceived. Section 93 of the said Act speaks of appeals and revision applications and makes applicable the Limitation Act only for the purpose of filing of appeals and revision applications within the time prescribed.

3 In the instant case, if any proceedings have been initiated under Section 98C of the Hyderabad Tenancy Act, in respect of which there is a view taken by this Court, that non prescription of any limitation in Section 98 must be construed to convey a specific object which the Legislature intends to achieve; and, th view, so taken, commends to me. I, therefore, see neither any illegality nor perversity in the impugned order.

3 Writ Petition stands dismissed. Rule discharged. No costs.

S.B.SHUKRE
JUDGE

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