

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4691 OF 1995

Shankar D. Patil and Ors.

.. Petitioners

vs.

Nanasaheb Balasaheb Yadav

.. Respondent

Mr.S.M.Kamble for the applicant

Mr.PD.Dalvi for the respondent

CORAM : K. K. TATED, J.

DATE : JULY 20, 2017

PC.:

1. Heard.

2. By this petition under Article 226 of the Constitution of India, the Petitioner is challenging the order dated 30.03.1995 passed by learned Designated Member, Maharashtra Revenue Tribunal, Kolhapur in Revision Application No.MRT.KP86/93 partly allowing the Revision Application by restricting fresh enquiry only on the point regarding compliance of section 25 of the Maharashtra Tenancy and Agricultural Lands Act, 1948.

3. The question raised in this petition is whether the provisions of section 25 of the Maharashtra Tenancy and Agricultural Lands Act, 1948 are attracted to a claim for possession under Notification dated February 14, 1958 issued by State Government u/sec.43(a) of the Maharashtra Tenancy and Agricultural Lands Act, 1948 is squarely

covered by an unreported judgment of *Justice Jahagirdar, in Special Civil Application No.901 of 1978 (D.H.Boravke & Ors. v. S.S.Oatkar & Ors.), dated February 17, 1982.*

4. Considering these facts, I see no reason to take any different view in the matter. Hence, Writ Petition is dismissed.

(K.K.TATED, J.)