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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6831 OF 2016

Thorla-Narsayya Ramdas Ippakayal and Ors. ... Petitioners

Versus

Parmacharya Chandrashekharendra
Spinners Ltd. And Ors. ... Respondents

Dr. Ramdas P. Sabban for the Petitioners.
Mr. Bhushan Walimbe for the Respondent Nos.3 and 4.
Mr. Manish Pabale, AGP for the Respondent Nos.5 and 6.

**CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.**

DATE : 19th JANUARY, 2017

P.C.

1 Heard the learned counsel appearing for the petitioners.
The first prayer made in this Petition under Article 226 of the Constitution of India is for declaration that four different sale deeds executed by the petitioners in January/June, 1995 are inoperative and the petitioners are entitled to repurchase the said lands in accordance with Sub-Section (1A) of Section 63 of the Bombay Tenancy and Agricultural Lands Act, 1948. We find that the lands were sold by the Civil Court in execution way back in the year 2006. The petitioners have made an application to the State Government on 13th January,

2016 a copy of which is annexed as Exhibit-G. Going by the case made out by the petitioners, even according to the case of the petitioners, the alleged breach has occurred in the year 2010.

2 In our view, this is not a fit case to exercise extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. We, therefore, decline to entertain this Petition. Accordingly, the Petition is disposed of. However, disposal of the Petition will not prevent the petitioners from prosecuting the application dated 13th January, 2016 made to the State Government. We, however, make it clear that the issue of maintainability of the said application is kept open.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)