

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

WRIT PETITION No. 558/2017.

Nagorao Hiranman Gedam

-VERSUS-

The Collector, Yavatmal and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.

DATE : MARCH 06, 2017.

Heard Shri Vikas Kulsange, learned
counsel for petitioner, Shri P.S. Tembhare, learned
A.G.P. for respondent nos. 1 and 2 and Shri V.R.
Choudhari, learned counsel for respondent no.3 to 5.

2. Learned A.G.P. is seeking time.

3. Petitioner seeks expeditious adjudication
of his case pending before the Maharashtra Revenue
Tribunal at Nagpur in terms of Section 36-A of the
Maharashtra Land Revenue Code.

4. The Maharashtra Revenue Tribunal is not
party before this Court.

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5. Perusal of order-sheets maintained by the Tribunal reveals that on 10.01.2017, the learned Tribunal has after hearing preliminary objection mentioned next date as 22.02.2017.

6. Present proceedings are thereafter filed on 23.01.2017.

7. It is not in dispute that even today the Maharashtra Revenue Tribunal has not passed orders on preliminary objection.

8. Learned counsel for respondent nos. 3 to 5 submits that respondents who have raised preliminary objection and have argued their preliminary objection at length. He submits that petitioner has also replied to it.

9. In this situation, we are not inclined to intervene in the matter at this stage, particularly when the Maharashtra Revenue Tribunal has not been impleaded as party respondent. The order sheet dated 10.01.2017 nowhere expressly records that after concluding hearing, the Tribunal proposes to pass orders on preliminary objection either way.

10. In this situation, we grant petitioner leave to point out this aspect to the Maharashtra Revenue

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Tribunal. In the hope that suitable orders will be passed on preliminary objection within next two weeks thereafter, we dispose of the Writ Petition. No costs.

JUDGE

JUDGE

Rgd.