

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

WRIT PETITION NO. 1959 OF 2016

SATISH DAMODHAR KALAM
VERSUS
VITTHAL ABAJI HAKE DIED THROUGH LRS GANPAT VITTHAL HAKE
AND OTHERS

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Advocate for the Petitioner : Shri Kute Rajendra L..
Advocate for Respondents 1A to 1F : Smt.M.A.Kulkarni.
AGP for Respondents 2 to 4 : Shri V.S.Badakh.
Advocate for Respondents 5B and 5C : Shri A.N.Sabnis h/f Shri
V.D.Gunale.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 17th January, 2018

Per Court:

1 This matter was heard for sometime.

2 It is pointed out that Section 90 of the Hyderabad Tenancy
and Agricultural Lands Act, 1950 provides a statutory efficacious remedy
for the Petitioner.

3 The learned Advocate for the Petitioner submits that as this
Court had granted ad-interim protection by the order dated 22.02.2016,
though the Petitioner may avail of the statutory efficacious remedy, the
time spent by the Petitioner in this Court and ad-interim protection
granted, may be considered.

4 The learned Advocates for Respondent Nos.1A to 1F and 5B and 5C, though do not object to the Petitioner's availing the statutory remedy, they oppose the continuance of the ad-interim protection.

5 Considering the above, this Writ Petition is disposed of keeping in view that the Petitioner can avail of the remedy under Section 90 of the Hyderabad Tenancy and Agricultural Lands Act, 1950. All contentions of the parties are kept open.

6 Since the ad-interim protection granted by this Court has continued for practically two years, the same would be continued for a further period of about FOUR MONTHS which is till 21.05.2018 with the direction to the District Collector, Beed to decide the proposed appeal/ revision that the Petitioner intends to file, expeditiously and in any case on or before 21.05.2018.

7 If the Petitioner files his revision/ appeal under Section 90 within a period of THREE WEEKS from today, the time spent by the Petitioner in this Court from 30.01.2016 till the passing of this order, shall be considered as a good ground for condonation of delay.