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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11114 OF 2015

|                        |                |
|------------------------|----------------|
| Dasharath R. Bhagat    | ...Petitioner  |
| V/s.                   |                |
| Suresh A. Malap & Ors. | ...Respondents |

Mr.A.S. Khandeparkar I/b Khandeparkar & Associates for the  
Petitioner.

Mr.A.M. Kulkarni I/b Mr.Samir Kumbhakoni for the Respondent Nos.1-  
A, 1-C and 1-D.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 30TH AUGUST, 2018.**

**P.C. :-**

1. By consent of parties, the impugned order passed by the Maharashtra Revenue Tribunal dated 1<sup>st</sup> October, 2015 in Tenancy Revision Application No.339/B of 2011 is quashed and set aside. The impugned order passed by the Sub-Divisional Officer, Kankavli dated 24<sup>th</sup> August, 2011 in Tenancy Appeal No.33 of 2010 are restored before the Sub-Divisional Officer, Kankavli.

2. Learned Sub-Divisional Officer shall decide the said appeal along with pending application, if any, on its own merit without being influenced by the observations made and the conclusion drawn in the impugned order passed by the appellate authority on 1<sup>st</sup> October, 2015 expeditiously.

3. Both the parties are directed to appear before the Sub-Divisional Officer, Kankavli on 26<sup>th</sup> September, 2018 at 11:00 a.m. If the time and date is not convenient to the learned Sub-Divisional Officer as aforesaid, learned Sub-Divisional Officer is directed to give the earliest convenient date to both the parties in advance.

4. The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

**(R.D. DHANUKA, J.)**