

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.14102 OF 2018
(Pandhari Babanrao Junjare Vs. The State of Maharashtra and
others)

Ms.A.N.Ansari, Advocate for the petitioner.
Mr.N.T.Bhagat, AGP for respondent No.1.
Mr.B.R.Warma, Advocate for respondent No.3.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 17/01/2019

PER COURT :

1. The learned AGP and the learned Advocate appearing on behalf of the contesting respondent No.3 submit that a statutory remedy of filing a revision u/s 76 of the Maharashtra Tenancy and Agricultural Lands Act, is available to the petitioner.

2. Learned Advocate for the petitioner submits that since this Court has granted protection against taking over the physical possession of the property, the said relief may be continued till the application for interim relief is decided by the learned M.R.T.

3. In view of the above, this petition is disposed of with the following directions :-

[a] The petitioner would prefer his revision on or before

08/02/2019 alongwith an application for interim relief, if so advised.

[b] Respondent No.3 is at liberty to appear *suo-motu* in the revision proceedings.

[c] The interim relief granted on 19/12/2018 would continue for a period of 1 month from the date of appearance of all the parties before the learned M.R.T.

[d] If the learned M.R.T. finds that the vendor of the petitioner is evading service, it would be at liberty to vacate the ad-interim relief granted by this Court.

[e] If all the parties appear on the returnable date mentioned by the learned M.R.T., the application for interim relief filed by the petitioner would be decided within 30 days from the date of such appearance.

[f] The learned M.R.T. would not be influenced by the order of this Court dated 19/12/2018 and would decide the application for interim relief on its own merits.

(Ravindra V.Ghuge, J.)