

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12641 OF 2016

Late Ganpat Durga Dhotre ... Petitioners
(Since deceased through L.Rs)
Maruti Ganpat Dhotre & Ors.

Versus

Late Bashir Sadik Kotwal ... Respondents
(since deceased through L.Rs)
Nashir Bashir Kotwal & Ors.

Mr. Shriram S. Chaudhari for Petitioners.
Mr. A. B. Kadam, AGP for Respondent – State.

**CORAM : S. S. SHINDE, J.
DATE : MARCH 15, 2019.**

P.C. :

. This Petition takes exception to the order dated 4th December 2015 passed by the learned Assistant Commissioner (Ro.Ha.Yo) Pune Division, Pune in Case No. RTS/Revision Application/Solapur/78/2000 as well as the Judgment and order dated 16th February 2000 passed by the learned Additional Collector, Solapur in Case No.RTS/Second Appeal No.109/1999 thereby confirmed the judgment and order dated 29th April

1999 passed by the learned Sub Division Officer, Solapur Division, Solapur in No. RTS Appeal/12/1998 and order dated 29th October 1997 passed by the Tahsildar Barshi in No. ALT/Ka.Vi./331.

2. The learned Counsel appearing for Petitioners invites attention of this Court to the grounds taken in the Petition and submits that the Petitioners' name came to be restored to the wahiwatdar column of the suit property in the year 1997-98. The learned Counsel invites attention of this Court to the revenue entry dated 21st January 1963 and submits that the said document has not been considered by the authorities below.

3. On the other hand, learned AGP appearing for the State submits that it appears from the perusal of the orders passed by the concerned authorities that the Petitioners in support of their claim did not produce single document before those authorities. Upon careful perusal of the alleged entry recorded in revenue record *prima facie* appears that the land which is the subject matter of this Petition was given on lease for 13 years. There is no single document placed on record by the Petitioners in support of their claim.

4. In that view of the matter, there is no reason to interfere in the concurrent findings on the facts recorded by the courts below have an inevitable conclusion is that present Petition is devoid of merits. Hence, the same stands rejected.

(S. S. SHINDE, J.)