

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

WRIT PETITION NO. 5061 OF 1996

Subhash Madhav Kale & Ors.	...	Petitioners
V/s.		
Jau Pandu Patil	...	Respondent

Mr.S.G. Surana for Petitioners.
Mr.S.G. Karandikar for Respondent.

CORAM : A.S. GADKARI, J.

DATE : 6th June 2019.

P.C. :

1] Heard Mr.Surana, the learned counsel for the petitioners and Mr.Karandikar, the learned counsel for the respondent.

2] By the present petition, the petitioners-landlords have taken exception to the Judgment and Order dated 21st September 1995 passed by the learned Member of the Maharashtra Revenue Tribunal, Mumbai, in Tenancy Revision Application No. 67 of 1994, dismissing the Revision and confirming the order dated 12th January 1989 passed by the Sub Divisional Officer, Bhiwandi, in Tenancy Appeal No. 37 of 1986.

3] By Order dated 12th January 1989, the Sub Divisional Officer, Divisional Bhiwandi, has held that the respondent was a tenant of the Petitioner as on 1st April 1957 and the suit lands were deemed to have been purchased by the respondent on that day. The contention of the petitioner that, on 12th October 1956 a partition took place and the petitioner transferred the suit lands to the present land-lords, i.e. his 3 minor nephews, has held to be not a valid transfer. The Tribunal has confirmed the findings recorded by the Sub Divisional Officer. There is a concurrent finding recorded by both the authorities below.

4] A minute perusal of the entire material available on record would indicate that, both the authorities below have not committed any error either in law or on facts while arriving at afore-stated conclusion.

5] After perusing the entire record, this Court is of the view that, there is no merit in the petition and is, accordingly, dismissed.

[A.S. GADKARI, J.]