

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6822 OF 2022
IN WRIT PETITION NO. 8038 OF 2013

LAXMAN YELLAPPA CHITTAR DIED THROUGH LRS
YELLUBAI LAXMAN CHITTAR DIED THROUGH LRS AND
OTHERS
VERSUS
TELGU MUNNURWAR DNYANGANGA TRUST THROUGH ITS
TRUSTEES SUBHASH DATTATRAYA KARLE AND OTHERS

...
Advocate for Applicants : Ms. Manisha Dalave h/f. Talekar
and Associates

Advocate for Respondent Nos. 5-C, 5-D, 6, 7-A to 7D and
7-F : Mr. Rohit Dhongade h/f. Mr. S.S. Kulkarni

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CORAM : S.G. DIGE, J.

DATE : 6th October, 2022

ORDER :

1. Heard learned Counsel for applicants and learned Counsel for respondent Nos. 5-C, 5-D, 6, 7-A to 7D and 7-F.

2. Learned Counsel for applicants submits that, matter pertains to year 2013. Due to pendency of this Writ Petition applicants are deprived from their right to enjoy the property even after paying of occupancy price fixed

by the Competent Authority for protected tenants. Applicants are not able to cultivate the suit land. Hence, requested to allow application.

3. Learned Counsel for respondents submits that, suit property is trust property and applicants have no right in the said property. In spite of that, applicants are interfering in the said property. Hence, requested to dismiss the application.

4. I have heard both the learned Counsel. Matter pertains to year 2013, whether applicants have right in the said property or not can be decided after hearing both the parties. Hence, I pass the following order :-

ORDER

- (a) Application is allowed.
- (b) List the matter for final hearing on 5th December, 2022.
- (c) The Civil Application is disposed of.

[S.G. DIGE, J.]