

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

908 WRIT PETITION NO.10607 OF 2022

**HIRABAI BABURAO SIDANKAR AND OTHERS
VERSUS
RAYAT SHIKSHAN SANSTHA
THROUGH ITS SECRETARY ASHOK BHOITE AND OTHERS**

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Advocate for Petitioners : Mrs. Anjali Dube (Bajpai)
AGP for Respondent – State : Mr. G.O. Wattamwar
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CORAM : SANDEEP V. MARNE, J.

DATE : 14-10-2022

PER COURT :

. By this petition, the petitioner has assailed judgment and order dated 08.05.2019 passed by the Maharashtra Revenue Tribunal in Revision Petition No.78/B/2013/AN. By that order, the Tribunal has set aside the order passed by the Sub Divisional Officer, Karjat dated 14.08.2013 and has remanded the matter for enquiry under Section 88B of the Bombay Tenancy and Agricultural Lands Act, 1948.

2. The present petition is filed on 20.09.2022 i.e. after a period of 3 long years of passing of order by the Tribunal. There is no explanation for delay in the entire petition. One of the justifications that Mrs. Vajpai – Dube appearing for the petitioner

gives for delay in filing the petition is that the petitioners have waited for a long time for the Sub Divisional Officer to take up the proceedings post order of remand, but the papers of the proceedings still continue to remain in registry of the Tribunal and not yet remitted to the office of the Sub Divisional Officer. This conduct in fact shows that the petitioners were not really aggrieved by the order of remand. Be that as it may, on account of inordinate delay in filing the present petition, the same cannot be entertained. The writ petition is therefore dismissed. However, it is observed that even though the Tribunal had directed the parties to appear before the Sub Divisional Officer on 06.06.2019 and the Sub Divisional Officer was directed to decide the matter by 31.12.2019, the proceedings still remain undecided. The Sub Divisional Officer is therefore directed to expedite the hearing of the proceedings and to decide the same on or before 31.12.2022.

(SANDEEP V. MARNE, J.)

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