

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

WRIT PETITION NO. 5168 OF 2021

Shri. Krushana Hariba Dhekale (since Deceased
Through Its Legal Heirs)PETITIONER

V/S

Shri. Ramrao Daji Kamthe (since Deceased
Through Its Legal Heirs) & Ors.RESPONDENTS

Adv. Shailesh A Chavan for Petitioner.

CORAM : NITIN W. SAMBRE, J.

DATED : 11th JULY, 2022

P.C.:

1. Heard.
2. The Tribunal constituted under the Maharashtra Tenancy and Agricultural Lands Act (for short "the said Act") disallowed the claim of the Petitioner/tenant under provisions of section 32-G regarding fixation of purchase price vide order dated 28.11.1985 to the extent of Gat no. 450/4 admeasuring 2H. 33R. and also Gat no. 468 admeasuring 2H. 53R. and the said lands were excluded from the proceedings.
3. The sub-divisional officer in an Appeal under section 74 of the said Act also confirmed the said findings. As a sequel, the Petitioner filed revision under section 76 before the Maharashtra

Revenue Tribunal (for short "MRT") under the said Act which was also dismissed. As such this Petition.

4. The contentions are while deciding the proceedings under section 32-G of the said Act, the Additional Tahsildar and Agriculture Land Tribunal is expected to carry out detailed inquiry and not to rely on revenue records.

5. I have appreciated the said submissions.

6. The fact that the order of the Additional Tahsildar and Agriculture Land Tribunal and subsequent orders thereto passed by sub-divisional officer and also by MRT are based on the appreciation of entries in the revenue records.

6. When the Petitioner has come out with the case that revenue entries were incorrectly recorded or such revenue entries are contrary to the ground realities, it was for him to discharge such burden by adducing additional evidence in form of documentary or oral, which he has failed to.

7. In this background, having regard to concurrent findings and failure on the part of Petitioner to discharge his burden, no case for interference is made out. Petition fails and same stands dismissed.

(NITIN W. SAMBRE, J.)