

ATU

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9350 OF 2016

Basappa Ambanna Shivpuji (deceased)

Through Lrs. and Ors.

.. Petitioners

Versus

Bhairavnath Dev through Ramanna Bhavikatti

and Ors.

.. Respondents

-
- Mr. P.M. Arjunwadkar, Advocate for the Petitioners.
 - Mr. Sandesh D. Patil, Advocate for Respondent No.1.
 - Mr. P.P. Pujari, AGP for Respondent Nos.26 and 27 - State.
-

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 14, 2022.

P.C.:

1. Heard Mr. Arjunwadkar, learned Advocate appearing for the Petitioners; Mr. Sandesh Patil, learned Advocate appearing for Respondent No.1 and Mr. Pujari, learned AGP appearing for Respondent Nos.26 and 27.

2. The impugned Order dated 12.04.2016 remands the dispute between the parties to the Tahsildar. Originally the Tahsildar had passed the Order dated 27.11.2015, however by Order dated 12.04.2016 learned MRT remitted the matter back to the Tahsildar for a fresh hearing and decision. After hearing both the parties by Order dated 12.01.2018 the Order dated 27.11.2015 has been confirmed by the Tahsildar.

3. Admittedly, the Petitioner has filed the statutory Appeal provided under Section 74 of the Maharashtra Tenancy and Agricultural Lands Act, 1948 before the MRT along with the application for seeking condonation of delay to challenge the Order dated 12.01.2018.

4. Mr. Patil, learned Advocate appearing for Respondent No.1 informs the Court that notices have issued by MRT to the respective parties in respect of the said challenge.

5. In view of the above, the impugned Order dated 12.04.2016 which is challenged in the present Writ Petition does not survive.

6. Hence, Writ Petition is dismissed.

[MILIND N. JADHAV, J.]