

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

**WRIT PETITION NO. 12176 OF 2017
WITH
INTERIM APPLICATION NO. 17624 OF 2022
WITH
INTERIM APPLICATION NO. 17623 OF 2022
WITH
INTERIM APPLICATION NO. 17622 OF 2022
WITH
INTERIM APPLICATION NO. 17620 OF 2022
WITH
INTERIM APPLICATION NO. 2653 OF 2020
IN
WRIT PETITION NO. 12176 OF 2017**

Shri. Anant Vitthal Jadhav & Ors.
V/S

....Petitioners

Shri. Shivkumar Janardan Kanthale
(since Deceased Through Lrs.)

1a. Smt. Jaya Kiran Aarve & Ors

....Respondents

.....

Mr. Shriram S. Kulkarni for the Petitioner and for applicants in all Interim Applications.

Mr. Abhijit P. Kulkarni for Respondents 1A to 1E and 2 to 7,8.

CORAM : NITIN W. SAMBRE, J.

DATED : 23rd AUGUST, 2022

P.C.:

INTERIM APPLICATION NO. 17620 OF 2022

1. This is an application for condonation of delay and amendment in the cause title of the Writ Petition for adding Respondent No. 1 F.

2. The prayer is not opposed, as such stands allowed.
3. The Interim Application is allowed in terms of prayer clauses (a) and (b).
4. The amendment to be carried out forthwith.

INTERIM APPLICATION NO. 17622 OF 2022

1. This is an application for condonation of delay of 376 days, setting aside abatement, permitting the applicant for bringing on record the legal heirs of Respondent No. 7.
2. For the reasons disclosed and since the contentions are not controverted, the application stands allowed in terms of prayer clauses (a), (b) and (c).
3. Legal heirs of Respondent No. 7 be added as Respondent Nos 7A. The amendment to be carried out forthwith.

INTERIM APPLICATION NO. 17623 OF 2022

1. This is an application for condonation of delay of 264 days, setting aside abatement, permitting the applicant for bringing on record the legal heirs of Respondent No. 3.
2. The prayer is not opposed, as such stands allowed.
3. The Interim Application is allowed in terms of prayer clauses (a) (b) and (c).
4. Legal heirs of Respondent No. 3 be added as Respondent Nos 3A. The

amendment to be carried out forthwith.

INTERIM APPLICATION NO. 17624 OF 2022

1. This is an application for condonation of delay of 719 days, setting aside abatement, permitting the applicant for bringing on record the legal heirs of Respondent No. 6.
2. The prayer is not opposed, as such stands allowed.
3. The Interim Application is allowed in terms of prayer clauses (a) (b) and (c).
4. Details of legal heirs of Respondent No.6 are provided in para no. 3 of the application, is permitted to be incorporated as Respondent Nos 6A and 6B. The amendment to be carried out forthwith.

INTERIM APPLICATION NO. 2653 OF 2020

1. This is an application for bringing the legal heirs of Petitioner No. 4 on record details of which are provided in paragraph no. 3 of the application.
2. Since there is no objection, the application is allowed in terms of prayer clauses (a)(b) and (c).
3. Proper amendment to be carried out in the cause title by impleading the Petitioner Nos. 4A, 4B and 4C. The amendment to be carried out forthwith.

WRIT PETITION NO. 12176 OF 2017

1. The Petition is arising out of Section 32-G proceeding under the provisions of Maharashtra Tenancy and Agricultural Lands Act. It appears that the Petitioners/tenants remained in possession, however, suffered an order at the behest of Respondent- SDO and confirmed by the Tribunal. As such the Petition.
2. During hearing of the Petition, the Petitioners through their power of attorney holders so also the Respondents have reached to a settlement and accordingly tendered a joint Consent Terms dated 23rd August 2022. The parties to the Consent Terms who have signed the same are duly identified by their respective counsels.
3. As such, the Consent Terms are taken on record and marked as “X” for identification.
4. In view of the Consent Terms, the Petition stands disposed of.

(NITIN W. SAMBRE, J.)