



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14641 OF 2023

Shri. Abdul Sattar Ismail Jamadar
Versus
Gaffar s/o. Ismail Jamadar & Ors.

...Petitioner
...Respondents

Mr. S. S. Kazi, for the Petitioner.

CORAM : MADHAV J. JAMDAR, J.
DATED : 7th DECEMBER 2023

P.C. :

1. Heard Mr. Kazi, learned counsel appearing for the Petitioner.
2. The challenge in the present Writ Petition is to the order dated 24th August 2023 passed by the learned President, Maharashtra Revenue Tribunal, Mumbai Bench at Pune (hereinafter referred to as “the MRT”). By the said order, the Applicants who have filed Revision No.SH/XII/2/2021 were directed to implead original owners as parties. The said original owners have also filed Revision bearing No.SH/XII/1/2019.
3. It is the contention of Mr. Kazi, learned counsel appearing for the Petitioner that the application has been filed to prolong the hearing. He submits that the Petitioner-tenant is 90 years old. He

submits that all the authorities have passed the orders in favour of the Petitioner and the said orders are challenged before the MRT. In fact, the Applicant in said Revision No.SH/XII/2/2021 has no locus to file Revision. However, by the impugned order, what has been done is the said Applicant has been directed to add owners/landlords as party Respondents.

4. It is an admitted position that both the Revisions i.e. Revision filed by the original owners and the present Respondents are directed to be heard together. Therefore, no interference in the impugned order is warranted under Article 227 of the Constitution of India.

5. However, as the Petitioner is 90 years old, the learned MRT is requested to dispose of both the said Revisions expeditiously and preferably on or before **31st March 2024**.

6. The Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]