

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO .387 OF 2023

Anandprakash Ramlakhan Yadav & Anr. ...Applicants

Versus

Arun Narayan Gupte and Ors. ...Respondents

WITH
CIVIL REVISION APPLICATION NO .391 OF 2023

Mathura Raghunath Mali and Ors. ...Applicants

Versus

Arun Narayan Gupte and Ors. ...Respondents

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Mr. R. S. Datar i/b Ms. Druti Datar for the Applicants.

Mr. D. S. Patil for Respondents.

Mr. Anandprakash Yadav- applicant No.1 in person present in CRA No.387/2023.

Mr. Kiran R. Mali- applicant No.2 in person present in CRA No.391/2023.

CORAM : SHARMILA U. DESHMUKH, J.
DATE : AUGUST 8, 2023

P. C. :

1. After the matter was argued for some time, learned counsel

appearing for the applicants on instructions of the Applicants who are present in person seeks permission to withdraw the application.

2. Learned counsel appearing for the respondents points out that Exhibit 5 application is pending for consideration before the trial Court. Liberty to the applicants to raise all contentions including contention of section 85A of the Maharashtra Tenancy and Agricultural Lands Act, 1948 (Tenancy Act) at the time of arguments on Exhibit 5 application. All rights and contentions of both the parties are expressly kept open. Learned counsel for the applicants on instructions submit that application will be filed under the provisions of section 85A of Tenancy Act within a period of one week from today. Reply, if any, to be filed within a period of one week thereafter.

3. Trial Court is requested to decide the application to be filed under the provisions of section 85A of Tenancy Act expeditiously and in any event within a period of 4 weeks thereafter. Needless to clarify that the trial Court to proceed with the hearing of Exhibit 5 application in which both the parties are at liberty to raise all their contentions as regards the applicability of section 85A of the Tenancy Act.

4. The applications stand disposed of with liberty as above.

(SHARMILA U. DESHMUKH, J.)