

Nikita

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

WRIT PETITION NO.930 OF 2024

Kushabai Sajdev Dutkar

Through legal Hiers

... Petitioner

V/s.

Macrotech Developers Ltd & Ors.

... Respondents

Mr. Rupesh Bobade, for the Petitioner.

Mr. S. D. Rayrikar, AGP for the State-Respondent No.6.

CORAM : AMIT BORKAR, J.

DATED : MARCH 5, 2024

P.C.:

1. Issue notice to respondent Nos. 1 to 5, returnable on **16th April 2024.**

2. According to the petitioner on 12th September 1963, authorities under the Bombay Tenancy & Agricultural Lands Act, 1948 had issued a certificate under Section 32-G in favour of the petitioner's predecessor. Without challenging such certificate, fresh proceedings was initiated by Smt. Dundabai Kadu Bhoir and Smt Chandabai Govardhan Thombare.

3. Prima facie in absence of challenge to the certificate issued on 12th September 1963, fresh proceedings under 32-G of the Act in respect of same property was not maintainable.

4. Hence, there shall be ad-interim relief in terms of prayer clause (b).

(AMIT BORKAR, J.)