

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

**WRIT PETITION NO. 3497 OF 2024
WITH
INTERIM APPLICATION NO.10186 OF 2024**

Yakub Baig Trust Panvel Thr.
Its Chief Trustee

...Applicant /
...Petitioner

Versus
Gana Mahadu Gaikar And Ors.

...Respondents

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Mr.Rajiv Patil, Senior Advocate with Mr.Sachin S. Punde for the
Petitioner.

Mr.Sunil Karandikar i/b Mr.Mandar Limaye for the Respondent No.1.

Mr.Anil Anturkar, Senior Advocate with Mr.Tanaji Mhatugade for
Respondent Nos.2 to 4.

Mr.Hamid Mulla, A.G.P. for the Respondent – State.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 11th JULY, 2024

P.C.:

1. Interim Application No.10186 of 2024 seeks to place on record the certified copy of the certificate dated 30.05.1959, issued under Section 88-B of the Maharashtra Tenancy & Agricultural Lands Act, 1948 (MTAL Act), in the present petition. The certified copy which is sought to be tendered, which I have perused, is in a very

precarious condition, capable of being destroyed, if handled improperly. The original is returned back to the learned counsel for the applicant / petitioner and copy is taken on record and marked as “X”. Since this order deals with exemption being granted from the provisions of the Tenancy Act in favour of the petitioner, it definitely would have material bearing upon the matter in issue, on account of which though it is belatedly sought to be filed, the same is taken on record, inspite of vehement opposition of the learned senior counsel for the respondent Nos.2 to 4. Interim Application is accordingly allowed so far as production of document is concerned. So far as the question of effect and efficiency of the said document is concerned, the same is left open.

2. Part heard. List the matter on the supplementary board on 16.07.2024.

3. Interim relief granted earlier shall continue to operate till the next date.

(AVINASH G. GHAROTE, J.)