

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5125 OF 2024

Dharamraj Kashiram Pardhi And Ors.

.. Petitioners

Versus

Kachru Sakharam Pardhi And Ors.

Respondents

.....

- Mr. Kayval P. Shah, Advocate for Petitioners.
- Mr. Satyajeet P. Dighe, Advocate for Respondent Nos.1 to 5.
- Ms. D. S. Deshmukh, AGP for Respondent Nos.6 to 8.
- Mr. S. G. Karindikar, Amicus Curiae.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 07, 2025

P.C.:

- 1.** Mentioned out of turn.
- 2.** Heard learned Advocates appearing for respective parties.
- 3.** The dispute in the present case pertains to applicability of the provisions of Section 36A of the Maharashtra Land Revenue Code, 1966 to a transfer between two parties where both parties are tribal. Issue before the Court is whether Collector's permission would be a mandatory requirement if tribal land is sold by one tribal to another. Learned Advocates for Petitioners and private Respondents are at logger heads on the applicability of the aforesaid provisions in such a case.
- 4.** In view of the above disputed question of law, I deem it to appropriate to appoint Mr. S.G. Karandikar, Advocate / Counsel

practicing in this Court to assist this Court through the Legal Aid Department.

5. Secretary of Legal Aid Department is directed to issue an appointment letter to Mr. S.G. Karandikar.

6. Learned Advocates for the parties and Mr. Karandikar are directed to give their written submissions of argument on the next adjourned date. Parties have already submitted citations on conflicting judgments and desire to submit some more citations.

7. Parties are directed to exchange their legal citations before the next date.

8. In the meanwhile, parties are directed to maintain *status quo* in respect of the subject property.

9. It is clarified that present Petition shall be heard and decided at the time of admission itself.

10. Stand over to **11th November 2025**. To be listed under the caption '**For Directions**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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