

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6128 OF 2024

Vinayak Vasudev Tilak Decd

.. Petitioner

Versus

The State Of Maharashtra Thr Tahsildar And
Ors.

.. Respondent

WITH

WRIT PETITION NO.12642 OF 2024

WITH

WRIT PETITION (STAMP) NO.10666 OF 2024

WITH

WRIT PETITION NO.12671 OF 2024

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- Mr. Aditya Ghadge a/w. Mr. Sarthak Diwan, Advocates for Petitioner in Writ Petition No.12642 of 2024 alongwith Writ Petition (Stamp) No.10666 of 2024.
- Mr. Narayan G. Rokade a/w. Mr. Siddharth Ghodke, Mr. Abhang Suryawanshi and Mr. Ramchandra Wagh, Advocates for Petitioner in Writ Petition No.12671 of 2025.
- Mr. S. G. Karandikar, Advocate i/by Harshad Sathe, Mr. Saurabh Butala, Mr. Shashank Mangle and Mr. Akshay Gole for Respondent in all Petitions.
- Ms. V. S. Nimbalkar, AGP for Respondent – State.

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CORAM : MILIND N. JADHAV, J.

DATE : JUNE 24, 2025

P.C.:

1. Heard learned Advocates for respective parties.
2. The principal question arising for determination in the present set of Writ Petitions is that landlord under Sections 32G and 33B of the Bombay Tenancy and Agricultural Land Act seeks orders on the ground of his *bonafide* requirement but the facts depict that the landlords have already sold the subject property to third parties in the

interregnum. Once that is the position, the landlords will have to overcome the said position to sustain their ground for *bonafide* requirement. Though the Petition is filed in the name of landlords, *prima facie*, it is seen that it is prosecuted by the third party as Power of Attorney of the landlord. This fact situation applies to Writ Petition No.12642 of 2024.

3. In so far as Writ Petition prosecuted by Mr. Rokade is concerned, he will have to show to the Court that they had applied under Section 33B previously in order to enable them to maintain the present Writ Petitions.

4. Advocate for Petitioners shall apply their mind to the aforesaid questions and accordingly apprise the court on the next adjourned date.

5. At request of Mr. Ghadge and Mr. Rokade, stand over to **15th July, 2025.**