

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2400 OF 2025

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
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Date: 2025.02.25
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Akaram Tukaram More
(since deceased through LRs)

...Petitioner

vs.

Vasant Tukaram More and Ors.

...Respondents

Mr. Aditya Raktade, for the Petitioner.

CORAM : N. J. JAMADAR, J.

DATE : FEBRUARY 24, 2025

P.C:

1. Heard the learned counsel for the petitioner.
2. The trial Court had referred the issue of tenancy to the authorities under the Maharashtra Tenancy and Agricultural Lands Act 1948 (the Act, 1948). It appears that the said issue is subjudice before the Maharashtra Revenue Tribunal (MRT), in the revision preferred by the petitioner/ defendant.
3. In view of the pendency of the said revision application, the petitioner sought stay to the hearing and final disposal of the suit till the said issue is decided by MRT. That application has been rejected.
4. Since the trial Court has framed and referred the issue of tenancy to the authorities for adjudication under the Act, 1948, the propriety of proceeding with the suit sans the determination of the

said issue, warrants consideration.

5. Issue notice for final disposal to the respondents returnable 15th April, 2025.

6. In addition to notice through Court, the petitioner is at liberty to serve the respondents by private service and file affidavit of service.

7. In the meanwhile, there shall be ad-interim relief in terms of prayer clause (b)

(N. J. JAMADAR, J.)