



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3902 OF 2026

DEVARAM YESU YASHWANT GAVADE DIED THROUGH HIS
LRS BABAN DEVARAM GAVADE AND ANR

VERSUS

LAXMINARAYAN DEV VISHNU MANDIR SANSTHAN KHED
AND ORS

...

AND

WRIT PETITION NO. 3903 OF 2026

HINDURAO HARKU CHEMATE

VERSUS

LAXMINARAYAN DEV VISHNU MANDIR SANSTHAN KHED
THROUGH ITS MANAGER AND ORS

...

Mr. Kuldeep Kumar, Advocate for the Petitioners.

Mr. S. S. Deshpande, Senior Advocate i/by Mr. Vishwajeet R. Jain,
Advocate for Respondent No.1.

...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 15th APRIL, 2026.**

P.C.:-

1. The present Writ Petitions takes exception to order dated 10.03.2026 passed by Maharashtra Revenue Tribunal, Chhatrapati Sambhajinagar (for short 'MRT'), whereby objections filed by petitioners for production of documents have been rejected.

2. Mr. Kuldeep Kumar, learned Advocate appearing for petitioners submits that petitioners have filed Revision Petition against order passed by Sub Divisional Officer in Appeal under provisions of Tenancy Act. The respondents filed bunch of documents, which were not part of original proceeding. The admissibility and acceptability of such document is questionable.

Therefore, petitioners requested that documents filed alongwith written notes of argument shall not be considered. He further submits that Revision Petition before MRT is purportedly filed on behalf of Trust. However, person who is claiming to be authorized on behalf of Trust has no *locus standi*, as his change report as to appointment as Trustee is still sub-judice. However, MRT refused to entertain objections of petitioners.

3. Mr. Deshpande, learned Senior Advocate appearing for respondent no.1 supports impugned order.

4. Having considered submissions advanced by learned Advocates appearing for respective parties and on perusal of record, it can be found that respondents have filed bunch of documents in support of their contention alongwith written notes of arguments. The petitioners have serious objections as regards to production and admissibility of documents in Revision before MRT.

The MRT passed order on aforesaid objections, which reads thus:

*“A. Production of documents alongwith written notes of application is allowed **by keeping open the issue regarding admissibility of documents and to consider these documents while considering Revision Application** is kept open to argue at the time of final hearing of matter.*

B. Objection Petition is disposed of accordingly.

C. Parties to note.”

5. Apparently, MRT has not admitted documents for consideration and kept issue open to be considered at the stage of final hearing. The petitioners are at liberty to raise objection regarding admissibility of each and every document during course of argument before MRT. Mere permission to produce documents would not cause any prejudice to petitioners, particularly when issue regarding its admissibility is kept open to be argued at the time of final hearing.

6. So far as issue as to *locus standi* of respondents to file Revision Application before MRT, it is submitted that till this date, change report is not accepted and, therefore, person presenting Revision Application on behalf of Trust has no *locus standi*. It is trite that, pendency of change report would not be an impediment for person who is in-charge of day to day administration of Trust to take necessary steps in interest of Turst. Of course, aforesaid actions are subject to final decision in proceeding pending before Assistant/Deputy Charity Commissioner.

7. In that view of matter, this Court finds that there is no reason to entertain present Writ Petitions.

8. Needless to state here that, in case MRT relies upon any admissible document in exercise of revisional jurisdiction,

petitioners shall be at liberty to raise their objections at appropriate stage in appropriate proceeding.

9. In result, Writ Petitions stand dismissed.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/April-2026