

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1539 OF 2026**

Subhash Rangnath Lohar Deceased Thr. Lrs.

VERSUS

Hirabai Jagannath Sasane Deceased Thr. Lrs.

Mr. Amol Kanaki, Mr. Prasad Kulkarni a/w Mr. Nakul Shukla
Advocate for Petitioners

CORAM : SACHIN S. DESHMUKH, J.

DATE : 17th APRIL, 2026.

P. C. :

1. The Petitioners raise an exception to the order dated 23/02/2026 rendered by Maharashtra Revenue Tribunal, Pune in Review Application/SH/II/1/2026 wherein the application filed by the Petitioner was deferred by the Tribunal.

2. Heard. The only issue which is put forth by the learned counsel for the Petitioner is in relation to the Application requesting to stay the order rendered by the Maharashtra Revenue Tribunal ("MRT") pending review application.

3. Learned counsel for the Petitioner submits that Rangnath who is father of the Petitioner was declared as protected tenant and purchase price was fixed under Section 32G of The Maharashtra

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Tenancy and Agricultural Lands Act (the said Act) which was eventually paid on 10/05/1995 after the death of Rangnath. As such, eventually, certificate under Section 32G was issued in favour of Rangnath who died on 07/05/1995. It is in this backdrop, the sisters, surviving legal representatives of deceased Rangnath approached Maharashtra Revenue Tribunal (Tribunal) raising an objection to record the name of present Petitioner in exclusion of the Revision-Petitioner before the Tribunal constituted under Section 32 of the said Act.

4. While upholding the objections of these legal heirs of deceased Rangnath, since Section 40 of the said Act recognises heirs and heirs of the deceased tenant as may be willing to continue the tenancy. Since the relationship of this Revision-Petitioner is undisputed and would be falling in the category as contemplated under Section 40, the Tribunal has allowed this application directing to correct 32M certificate including all the legal heirs of deceased tenant namely Rangnath Lohar, along with petitioners.

5. Learned counsel for the petitioner submits that against the order dated 03/12/2025 rendered by the Tribunal, Pune in Application No. 154/B/2001/SH, seeking Review is presented. As

such, it was obligatory or incumbent upon the Tribunal to wait for adjudication of the review preferred by the present petitioners.

6. After hearing learned counsel for the Petitioner at length and perusing the material on record, it is clear that certificate is issued in favour of Rangnath under Section 32M of the said Act. After his demise, Section 40 of the said Act spring into action, as such, surviving legal representatives of the deceased are entitled to continue the tenancy.

7. In that view of the matter, the Tribunal has not committed any error, much less, an error of law while allowing the proceedings presented by respondents and endorsing entitlement of respondents in view of provisions of Section 40 of the said Act.

8. Resultantly, the petition does not warrant any consideration. Accordingly, the Petition stands dismissed.

9. It is made clear that these observations are rendered considering lawful and statutory the entitlement of the legal representatives of deceased tenant, including Petitioners herein.

[SACHIN S. DESHMUKH, J.]