

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8044 OF 2022

Sadashiv Bhika Raykar & Ors. ... Petitioners
Vs.
Ghansham Vishwanath Raykar & Ors. ... Respondents

Mr. Nitin V. Gaware Patil for the Petitioners.
Mr. C. D. Mali, AGP for Respondent Nos.8 & 9-State.

CORAM: ABHAY AHUJA J.

DATE : 19TH JULY 2022

P.C.:

1. The Petitioners are aggrieved by the judgment and order dated 11th March, 2022 passed by Maharashtra Revenue Tribunal in Revision Application No.P/I/6/2021 condoning the delay of 35 years in preferring the RTS Appeal thereby confirming the order dated 5th January, 2021 passed by the Sub-Divisional Officer, Pune in the Tenancy Appeal No.2 of 2014.

2. Mr. Gaware Patil, learned Counsel for the Petitioners submits that the order of Tahasildar and Agricultural Land Tribunal have held in favour of the predecessor of the Petitioners. It is only after the application was made by Respondents No.1 to 7 before the

S. D. O., that the decision came to be given in favour of the said Respondents which has been upheld by the Revenue Tribunal. Learned Counsel submits that this application made after inordinate delay of 35 years much after the order of Agricultural Land Tribunal has been executed is illegal and unjust and ought to be set aside.

3. Having heard learned Counsel for the Petitioners, issue notice to the Respondents, returnable in four weeks. Learned AGP waives service of notice on behalf of Respondents No.8 and 9-State.

4. In case of urgency, liberty to apply.

5. Stand over to 17/08/2022.

(ABHAY AHUJA, J.)