

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

985 WRIT PETITION NO.2394 OF 2021

SHIAVJI GANPATI KALE
VERSUS
DHONDIRAM NAMA DIKLE

.....
Advocate for Petitioner : Mr. P.R. Katneshwarkar
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CORAM : V. K. JADHAV, J.
DATED : 5th FEBRUARY, 2021

PER COURT:-

1. The petitioner is legal heir of original tenant Ganpati. The issue involved in this case is about surrender of tenancy as alleged by respondent, who is legal heir of one Nama.
2. Learned counsel for the petitioner submits that though the landlord Mr. Lodha had sold some portion of land on which father of the petitioner was protected tenant under registered sale deed, however, sold same portion of the land to the father of respondent though he was not protected tenant. Even though there is no evidence about surrender, the Maharashtra Revenue Tribunal has accepted the theory of surrender and decided the matter against the petitioner.
3. In view of above, issue notice to the respondent sole returnable on 05.03.2021.

(V. K. JADHAV, J.)

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