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SLP(C)No. 8155 OF 2003
ITEM No.34

Court No. 5

SECTION IX
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.8155/2003
(From the judgement and order dated 10/01/2003 in WP 4027/87
of The HIGH COURT OF BOMBAY AT AURANGABAD)

ANANDA SAKHARAM BHILARE (D) BY LRS. &ORS Petitioner (s)

VERSUS

RANJIT SHRIPATRAO HOLKAR (D) BY LRS. Respondent (s)

(With prayer for interim relief)

Date : 07/11/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)Mr. Arvind Savant, Sr.Adv.
Mr. Sanjay V. Kharde,Adv.
Mr. Naresh Kumar,Adv.

For Respondent (s)Mr. P.N. Puri,Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

No costs.

(Neena Verma) (Vijay Aggarwal)
Court Master Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 8670 OF 2003
(@ Special Leave Petition @ No.8155 of 2003)

Ananda Sakharam Bhilare (D) by L.Rs. and Ors..... Appellants

Versus

Ranjit Shripatrao Holkar (D) by L.Rs..... Respondents

O R D E R

Leave granted.

After hearing learned senior counsel for the parties on either side, we feel that this is a case which needs to be heard afresh by the High Court of Bombay on the questions regarding applicability or otherwise of Sections 31 and 14 of the Bombay Tenancy Act and the relevance of the

judgment of the Division Bench of the High Court in Harshavardhan Shrinivas Potnis Vs. Mahadu Pundalik Gangurde (AIR 1980 Bombay 198) to the facts of the present case. Since the matter is pending since long, we request the High Court to take up the matter immediately and dispose it of preferably within three months' from the date of communication of this order. The status-quo order, already granted, shall continue pending disposal of the matter by the High Court, pursuant to this order. The appeal is disposed of in the above terms. No costs.

.....J.
(DORAISWAMY RAJU)

.....J.
(ARIJIT PASAYAT)
New Delhi,
November 07, 2003.