

**SUPREME COURT OF INDIA**

G.R. Lokhande

Vs.

V.B. Tilekar

C.A.No.8131 of 2001

(B.N. Agrawal and G.S. Singhvi JJ)

19.03.2009

**ORDER**

1. Heard learned counsel for the parties.
2. By the impugned order, the High Court allowed the writ petition and set aside the orders passed by the Maharashtra Revenue Tribunal and the Sub-Divisional Officer, Sangamner.
3. In our view, the crucial point, which was required to be considered by the High Court in the writ petition, was the effect of notification issued under Section 43- A of the Bombay Tenancy and Agricultural Lands Act, 1948, but the same having not been done, the impugned order suffers from serious legal infirmity and the same is liable to be set aside on this ground alone.
4. The civil appeal is allowed, impugned order passed by the High Court is set aside and the matter is remitted to it to consider and dispose of the writ petition afresh in accordance with law.
5. As the proceeding was initiated in the year 1972, the High Court is requested to dispose of the writ petition within a period of six months from the date of receipt/ production of copy of this order.