

PETITIONER:
JITENDRASINGH JAYSINGH RAWAL ETC

Vs.

RESPONDENT:
STATE OF MAHARASHTRA AND ORS.

DATE OF JUDGMENT: 24/09/1998

BENCH:
G.T.NANAVATI, S.P.KURDUKAR

ACT:

HEADNOTE:

JUDGMENT:
Present:
Hon'ble Mr. Justice G.T.Nanavati
Hon'ble Mr. Justice S.P.Kurdukar
V.N.Ganpule, Sr.Adv., Manoj Kumar Mishra and Sunil Jain,
Adv. with him for the appellants
M.S.Nargolkar, Sr.Adv., D.M.Nargolkar, Adv.,
A.M.Khanwilkar, Adv. (NP) with him for the Respondents

JUDGEMENT

The following Judgment of the Court was delivered:
Nanavati J

The only question that arises for consideration in these appeals is whether the appellants were the owners of lands bearing Survey Nos.284/1, 286, 291/A, 292/2, 283 and 291/B or whether Zipabai was the owner thereof. The Commissioner in the revisional proceedings held that the appellants were the owners and not Zipabai. Therefore, those lands were included in the holdings of the appellants. The High Court also on consideration of the record and the material placed before it held that the two gift deeds of 1970 were not valid and the lands continued to be the lands of the original landholder. Thus, the Commissioner and the High Court have held that the said lands really belonged to the appellants and, therefore, they were rightly included in the holdings of the appellants for the purpose of determining surplus land held by them. These were questions of fact and the Commissioner and the High Court have rightly decided them. No interference is therefore, called for by this court. These appeals are dismissed with on order as to costs.