

ITEM NO.31

COURT NO.4

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 21759/2026

[Arising out of impugned final judgment and order dated 09-02-2026 in WP No. 5474/2024 09-02-2026 in WP No. 5429/2024 09-02-2026 in WP No. 5501/2024 passed by the High Court of Judicature at Bombay at Nagpur]

SUDAM BAKSHI RATHOD & ORS. ETC.

Petitioner(s)

VERSUS

SHRIKRUSHNA RUKHMINI PANDURANG DEOSTHAN
THROUGH ITS TRUSTEES & ORS.ETC.

Respondent(s)

IA No. 183223/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS
IA No. 183221/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 183222/2026 - EXEMPTION FROM FILING O.T.

Date : 03-08-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Sachin S. Deshpande, Adv.
Mr. Digvijay Khapre, Adv.
Mr. Ashish Jacob Mathews, Adv.
Mr. Pradeep Chandra Sati, Adv.
Mr. Ambuj Ojha, Adv.
Ms. Divya Mishra, Adv.
Mr. Jaydip Pati, AOR

For Respondent(s) Mr. Gaurav Agrawal, Sr. Adv.
Mr. Abhikalp Pratap Singh, AOR
Mr. Nihar Mankad, Adv.
Ms. Siya Singh, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

We have heard the learned counsel appearing for the petitioner(s) and the learned Senior Counsel appearing for the respondent(s).

Learned counsel appearing for the petitioner, placing reliance on Section 46 of the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region)

Act, 1958 (hereinafter referred to as 'the Act'), submits that it overrides even Section 129(b) of the Act.

However, we do not think so.

The earlier request made by the petitioner(s) for fixation of the purchase price was rejected on the basis of Section 129(b), which has become final.

We are dealing with a case where the registration of the Trust was in existence much prior to the coming into force of the Act and the findings of the authorities on the earlier occasion which has become final between the parties is to the effect that the respondent No.1 is entitled to the benefit of Section 129(b) and the same is applicable to the case of the parties.

In such view of the matter, we do not find any error in the impugned order passed by the High Court warranting interference.

The Special Leave Petition stands dismissed, accordingly.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR