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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6397 OF 2012

WITH

CIVIL APPLICATION NO.1022 OF 2019

1. **Prassanna Keshav Patwardhan,**
Age Adult, Occupation Business,
Residing at 1471, Shukrawar Peth,
Pune 411 002
2. **Shriram Narayan Bhave,**
Age Adult, Occupation Business,
Residing at 1471, Shukrawar Peth,
Pune 411 002
(All through the Power of Attorney
holder, viz., petitioner No.1 above) ... Petitioners

ATUL
GANESH
KULKARNI

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Vs.

1. **State of Maharashtra,**
(Summons to be served on the learned
Government Pleader appearing for
State of Maharashtra under Order
XVIII Rule4, of the Code of Civil
Procedure, 1908)
2. **Additional Collector, Alibag,**
District Raigad
(Summons to be served on the learned
Government Pleader appearing for
State of Maharashtra under Order
XVIII Rule4, of the Code of Civil
Procedure, 1908)
3. **Tahsildar Khalapur,**
Taluka Khalapur, District Raigad



(Summons to be served on the learned Government Pleader appearing for State of Maharashtra under Order XVIII Rule4, of the Code of Civil Procedure, 1908)

4. ~~Ganu Kushaba Patil,~~
R/at: Kalote Mokashi, Taluka
Khalapur, District Raigad
(deleted as per order dated 01.11.2012)
 5. **Lata Tukaram Surve,**
R/at: Karjat, Taluka Karjat,
District Raigad
 6. **The President, Maharashtra Revenue Tribunal, Mumbai**
(Summons to be served on the learned Government Pleader appearing for State of Maharashtra under Order XVIII Rule4, of the Code of Civil Procedure, 1908)
- ... Respondents**

Mr. Girish S. Godbole, Senior Advocate with Mr. Sumit Kothari and Ms. Aishwarya Shinde for the petitioners.

Smt. A.A. Nadkarni, AGP for the respondent Nos.1 to 3-State.

CORAM : AMIT BORKAR, J.

RESERVED ON : APRIL 29, 2026.

PRONOUNCED ON : MAY 6, 2026

JUDGMENT:

1. By the present writ petition instituted under Articles 226 and 227 of the Constitution of India, the petitioners have invoked the supervisory and extraordinary jurisdiction of this Court to assail



the legality, propriety, and correctness of the judgment and order dated 11 April 2012 passed by the President of the Maharashtra Revenue Tribunal, Mumbai, in Revision Application No. TNC/REV/400/B/2008.

2. The factual matrix, as set out by the petitioners and forming the basis of the present proceedings, is that during the period 1962–1963, one Ganu Khusaba Patil, who is now deleted from the array of parties, was recorded as a tenant in respect of the subject land. Proceedings under Section 32G of the Maharashtra Tenancy and Agricultural Lands Act, 1948 were concluded, culminating in issuance of a certificate under Section 32M in favour of the said tenant. Subsequently, on 10 August 1992, Lata Tukaram Surve instituted Short Cause Suit No. 334 of 1992 before the Court of Civil Judge, Senior Division at Panvel, seeking specific performance and execution of a registered conveyance pursuant to a sale permission dated 18 October 1991 granted by the Sub-Divisional Officer, Panvel, and order dated 22 April 1992, in respect of land bearing Survey No. 173 situated at Village Kalote, Taluka Khalapur, District Raigad, later renumbered as Gut No. 236. The present petitioner figures as defendant No. 5 in the said suit. The learned Civil Judge, Senior Division, Panvel, by order dated 5 April 1997, rejected the application at Exhibit-5 in the aforesaid suit. The Court recorded a categorical finding that no valid agreement for sale was produced on record by the plaintiff. Although three separate agreements for sale were placed on record, the Court noted that there was no material to demonstrate that any effective steps had been taken by the parties to fructify



the alleged transaction since the year 1991.

3. Being aggrieved by the said order dated 5 April 1997, Lata Tukaram Surve preferred Appeal from Order No. 548 of 1997 before this Court. By order dated 6 October 2000, this Court directed expeditious disposal of Short Cause Suit No. 334 of 1992 and granted interim protection to operate during the pendency of the suit, while disposing of the said appeal. In the meantime, the Additional Collector, Raigad at Alibaug, by order dated 23 April 1997 passed under Section 43 of the Maharashtra Tenancy and Agricultural Lands Act, 1948 read with Rule 25A(1)(f) of the Maharashtra Tenancy and Agricultural Lands Rules, 1956, granted permission to sell the subject land. The said permission was granted on an application preferred by Ganu Khusaba Patil. Pursuant thereto, within a period of one month, a registered sale deed bearing No. 1253 of 1997 dated 16 May 1997 came to be executed in favour of Prasanna Terminals Limited through its representatives, namely Prasanna Patwardhan (petitioner No.1) and Shriram Bhave (petitioner No.2), whereby the land bearing Gut No. 236 admeasuring 2 Hectares and 33 Ares was purchased for a consideration of Rs. 15,00,000/-. The said transaction was effected with the consent of Ramchandra Ganu Thombre, Kaluram Kanu Thombre, Gajanan Ganu Thombre and Anand Ganu Thombre. Consequent upon the execution of the aforesaid sale deed, Mutation Entry No. 445 came to be recorded in the record of rights on 16 May 1997, reflecting that Ganu Khusaba Patil had transferred the said land in favour of Prasanna Patwardhan and Shriram Bhave for a consideration of Rs. 15,00,000/-.



4. After a lapse of more than eleven years, the Additional Collector, Raigad at Alibaug, by order dated 3 October 2008, purported to revoke the sale permission granted earlier. It was recorded that, in view of Condition No. 4 incorporated in the permission dated 23 April 1997, the permission would automatically stand lapsed if any proceedings or suits were pending before any Court. It was further observed that Short Cause Suit No. 334 of 1992 filed by Lata Tukaram Surve was pending on the date of grant of permission and came to be finally disposed of on 23 November 2001. On that basis, it was concluded that since the suit was pending as on 23 April 1997, the permission granted on that date stood vitiated and was liable to be cancelled. It was also noted that the Regular Civil Appeal and Second Appeal arising therefrom were dismissed in the year 2002.

5. Being aggrieved by the said order, the petitioners preferred Revision Application No. 400/B of 2008 before the Maharashtra Revenue Tribunal, Mumbai, along with an application for stay of the order dated 3 October 2008. By order dated 24 October 2008, the Tribunal granted interim stay. Accordingly, Mutation Entry No. 894 dated 20 November 2008 came to be recorded, indicating that the operation of the order dated 3 October 2008 had been stayed by the Tribunal. The President of the Maharashtra Revenue Tribunal, by order dated 11 April 2012, allowed Revision Application No. 400 of 2008 and set aside the order dated 3 October 2008 passed by the Additional Collector. However, it was subsequently recorded that after pronouncement of the judgment in open Court, it transpired that the Advocate appearing for the



parties had failed to bring to the notice of the Tribunal an earlier order dated 6 March 2012, whereby the parties were directed to establish the relationship between the applicant and the purchasing company, particularly since the sale deed was not executed in the names of the original applicants for permission. In view thereof, a notice was issued calling upon the parties to show cause as to why the order should not be reviewed, thereby invoking the power of suo motu review. Thereafter, by order dated 13 June 2012, the President of the Maharashtra Revenue Tribunal recalled the earlier order dated 11 April 2012 and restored the order dated 3 October 2008 passed by the Additional Collector, Raigad. It is also placed on record that the original tenant, namely respondent No. 4, came to be deleted from the array of parties by order dated 1 November 2012.

6. Mr. Godbole, learned Senior Advocate appearing on behalf of the petitioners, submits that the sale deed in question has been executed pursuant to a valid permission granted under Section 43 of the Maharashtra Tenancy and Agricultural Lands Act, 1948. It is contended that the statutory scheme of Section 43 does not contemplate any provision for revocation of such permission once it is duly granted. According to him, the exercise of suo motu power for revocation after an inordinate lapse of eleven years is contrary to the settled principles of law and suffers from patent illegality. It is, therefore, urged that the impugned action of the Collector as well as the Maharashtra Revenue Tribunal is without jurisdiction and devoid of any legal authority. It is further submitted that Section 43 of the said Act is enacted primarily for



the protection and benefit of the tenant purchaser, and any conditions imposed in the permission, including a stipulation regarding pendency of litigation, are intended to safeguard the interest of the purchaser. It is urged that the original tenant never raised any objection to the transaction and that the civil suit, which was pending at the relevant time, came to be finally disposed of on 23 November 2001, prior to the order of revocation. On this premise, it is contended that the order of revocation reflects non-application of mind. It is also submitted that neither Section 43 of the Act nor Rule 25 of the Rules mandates that the permission must necessarily be granted in the name of the ultimate purchaser or that the person in whose favour the agreement for sale is executed must be identical to the person in whose favour permission is granted. Hence, according to the petitioners, no breach of any condition can be said to have occurred.

7. The learned Senior Advocate further submits that a plain reading of the impugned judgment and order dated 11 April 2012 passed by the President of the Maharashtra Revenue Tribunal indicates that the controversy before the Tribunal was confined to the issue of pendency of litigation, which subsequently stood concluded. It is contended that no issue was raised before the Tribunal regarding the identity of the purchaser or the person in whose favour the permission was granted. In such circumstances, it is urged that the subsequent exercise of suo motu power to recall the order dated 11 April 2012 and the passing of the order dated 13 June 2012 is wholly impermissible, particularly when the said



aspect was neither argued nor considered prior to dictation of the judgment in open Court.

8. Per contra, Ms. Nadkarni, learned Assistant Government Pleader appearing for the State, submits that Condition No. 4 incorporated in the permission order dated 23 April 1997 issued by the Additional Collector, Raigad-Alibag, expressly provides that if any suit is pending in respect of the land for which permission is sought, the permission shall automatically stand cancelled. It is submitted that, admittedly, a Special Civil Suit was pending before the Court of Civil Judge, Senior Division at Panvel at the relevant time. It is further contended that the applicant, Ganu Khusaba Patil, suppressed this material fact and made a false statement to secure the permission. Reliance is placed on the averments in paragraph 5 of the petition to contend that the petitioners themselves have admitted the pendency of litigation between Lata Tukaram Surve and Ganu Khusaba Patil from 1992 till 2001. On this basis, it is submitted that the permission dated 23 April 1997 stood automatically cancelled in view of Condition No. 4, and consequently, neither Ganu Khusaba Patil nor the petitioners had any lawful authority to transfer the said land on the strength of such permission.

9. It is further submitted on behalf of the State that the order dated 3 October 2008 passed by the Additional Collector is legal and in consonance with the terms of the permission. It is reiterated that Condition No. 4 clearly stipulates automatic cancellation of permission in the event of pendency of any suit, and the petitioners have themselves acknowledged such pendency in the



pleadings. It is contended that despite being aware of the subsisting litigation, Ganu Khusaba Patil suppressed the said fact from the competent authority. It is also submitted that the permission was specifically granted to effect sale in favour of two named individuals, namely Prasanna Keshav Patwardhan and Shriram Narayan Bhawe, and for agricultural purposes subject to the conditions mentioned therein. According to the State, no permission was granted in favour of any company, firm or association. In that view of the matter, it is contended that the sale deed ought to have been executed strictly in favour of the said individuals and not in favour of Prasanna Terminals Limited. The execution and registration of the sale deed in favour of the company, without obtaining requisite permission, is therefore asserted to be illegal and void ab initio.

REASONS AND ANALYSIS:

10. For the purpose of proper adjudication of the issues involved in the present matter, it becomes necessary to reproduce and closely examine the relevant statutory provisions governing the field. Since the rival submissions of the parties are based upon the interpretation and application of these provisions, it is appropriate to set out Section 43 of the Act and Rule 25-C of the Rules, which read as under:

“43. Restriction on transfers of land purchased or sold under this Act.

(1) No land purchased by a tenant under sections 32, 32F, 32-I, 32-O, 33C or 43-1D or sold to any person under section 32P or 64 shall be transferred by sale, gift, exchange,



mortgage, lease or assignment [* * *] without the previous sanction of the Collector. [Such sanction shall be given by the Collector in such circumstances, and subject to such condition, as may be prescribed by the State Government: Provided that, no such sanction shall be necessary where the land is to be mortgaged in favour of Government or a society registered or deemed to be registered under the Bombay Co-operative Societies Act, 1925, for raising a loan for effecting any improvement of such land.

Provided further that, no such previous sanction shall be necessary for the sale, gift, exchange, mortgage, lease or assignment of the land in respect of which ten years have elapsed from the date of purchase or sale of land under the sections mentioned in this sub-section, subject to the conditions that,-

- (a) before selling the land, the seller shall pay a nazarana equal to forty times the assessment of the land revenue to the Government;
- (b) the purchaser shall be an agriculturist;
- (c) the purchaser shall not hold the land in excess of the ceiling area permissible under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961; and
- (d) the provisions of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 shall be violated.

(2) Any transfer [* * *] of land in contravention of sub-section (1) shall be invalid.]

(3) Notwithstanding the amendment of section 43 of the Bombay Tenancy Act made by sub-section (1) of this section, where any orders have been made, by the Collector or any officer exercising the powers of the Collector under the said section 43, declaring partition of any land as invalid and the person concerned has been evicted by the Collector or such



officer for such land, before the commencement of this Act, then such orders shall not be affected by the amendment aforesaid, but shall continue to be in operation as before.”

11. Rule -25-C. Circumstances in which and conditions subject to which sanction shall be given by the Collector under Section 43 for transfer.

“(1) The circumstances in which and the conditions subject to which the previous sanction of the Collector under subsection (1) of section 43 may be given, shall be as follows, namely:

(a) that the land is required for an agricultural purpose by industrial or commercial undertaking in connection with any industrial commercial operations carried on by such undertakings;

(b) that the transfer is for the benefit of any educational or charitable institution duly registered under the Bombay Public Trust Act, 1950;

(c) that the land is required by a co-operative farming society;

(d) that the land is being sold in execution of a decree of a Civil Court or for the recovery of arrears of land revenue under the provisions of the Bombay Land Revenue Code, 1879;

(e) that the land is being sold bona fide for any non-agricultural purpose;

(f) that the land is being sold by landowner on the ground that

i) he is in need of contracting his holding either for adequate finance or for intensive cultivation;

(ii) he is permanently giving up the profession of



agriculturist; or

(iii) he is permanently rendered incapable of cultivating the land personally;

(g) that the land is being gifted in favour of

(i) the bodies or institutions mentioned in section 88-A and clauses (a) and (b) of sub-section (1) of section 88-B, or

(ii) a member of the landowners family;

(h) that the land is being exchanged

(i) with land of equal or nearly equal value owned and cultivated personally by a member of the same family;

(ii) with land of equal or nearly equal value situated in the same village or in any other village owned and cultivated personally by another landowner with a view to forming a compact block of his holding or with a view to having better management of the land:

Provided that the total land held and cultivated personally by any of the parties to the exchange whether as owner or tenant or partly as owner and partly as tenant does not exceed the ceiling area as a result of the exchange;

(i) that the land is being leased by a landowner who is a minor, or a widow or a person subject to any physical or mental disability or a member of the armed forces or among the landowners holding the land jointly;

(j) that the land is being partitioned among the heirs or survivors of the deceased land owners: Provided the area allotted to each sharer is not less than a unit specified by the State Government under clause (c) of sub-section (1) of section 27; or



(k) that the land is being sold by the land owner on the ground that it is situated at such distance from his residence that he is not in a position to look after it.

(2) The sanction of the Collector under clauses (a), (b), (c) and (g) of sub-rule (1) shall be subject to a further condition that the person or institution in whose favour the transfer is made shall use the land for the same purpose for which the transfer has been sanctioned within a period of three months from the date of transfer of land which may be extended upto two years in aggregate by the Collector for genuine reasons to be recorded in writing. If the person fails to comply with the condition within the period so specified, the sanction given under sub-section (1) of section 43 shall be deemed to have been cancelled and transfer shall be deemed to have been made without the previous sanction of the Collector.”

12. Section 43 of the Maharashtra Tenancy and Agricultural Lands Act, 1948, as amended, imposes a restriction on the transfer of land purchased by a tenant or sold under the provisions of the Act. Sub-section (1) mandates that no such land shall be transferred by way of sale, gift, exchange, mortgage, lease or assignment without obtaining prior sanction of the Collector. The provision contemplates that such sanction may be granted by the Collector in circumstances and subject to conditions as may be specified by the State Government. Certain exceptions are carved out, including cases where the land is mortgaged in favour of the Government or a registered co-operative society for the purpose of raising a loan for improvement of the land. A proviso stipulates that upon expiry of ten years from the date of purchase or sale, prior sanction is not necessary, subject to compliance with



conditions relating to payment of nazarana, status of the purchaser as an agriculturist, adherence to ceiling limits, and conformity with the provisions of the law relating to fragmentation and consolidation of holdings.

13. Sub-section (2) declares that any transfer effected in contravention of sub-section (1) shall be invalid. The consequence of non-compliance with the requirement of prior sanction is thus rendered void, indicating the mandatory nature of the provision.

14. Sub-section (3) preserves the validity and operation of orders passed prior to the amendment of Section 43, particularly those declaring partitions as invalid and consequent evictions, thereby protection of actions taken under the unamended provision.

15. The scheme of Section 43, therefore, reflects a intention to control transfers of agricultural land purchased under the Act, so as to prevent fragmentation and ensure that such lands remain with eligible persons in accordance with the policy.

16. Rule 25-C of the Maharashtra Tenancy and Agricultural Lands Rules, 1956, provides the circumstances in which, and the conditions subject to which, the Collector may grant previous sanction under sub-section (1) of Section 43 of the Act for transfer of land. Sub-rule (1) provides situations where such sanction may be accorded. These include cases where the land is required for agricultural purposes by an industrial or commercial undertaking; where the transfer is for the benefit of an educational or charitable institution; or where the land is required by a co-operative farming



society. Sanction is also contemplated where the transfer arises out of execution of a decree of a Civil Court or recovery of arrears of land revenue under the Bombay Land Revenue Code, 1879.

17. The Rule further provides for grant of sanction where the land is proposed to be sold bona fide for non-agricultural purposes, or where the landowner seeks to sell the land on grounds, such as the necessity to holdings for financial reasons or cultivation, cessation of agricultural occupation, or incapacity to personally cultivate the land. Provision is also made for transfers by way of gift in favour of specified institutions or family members, and for exchange of land under conditions to facilitate consolidation, subject to compliance with ceiling limits. Additional circumstances include lease of land by categories of landowners such as minors, widows, or persons under disability, partition among heirs subject to minimum area requirements, and sale on account of the land being situated at such a distance from the residence of the owner that supervision is not feasible.

18. Sub-rule (2) imposes an additional condition in respect of sanctions granted under clauses (a), (b), (c) and (g) of sub-rule (1), namely, that the transferee must utilise the land for the purpose for which the sanction is granted within a period of three months from the date of transfer, extendable up to two years for reasons to be recorded in writing. Failure to comply with this condition results in a cancellation of the sanction, and the transfer is treated as having been effected without prior permission.



19. Sub-rule (3) prescribes conditions in cases where sanction is granted for non-agricultural purposes under clause (e) of sub-rule (1). It requires the transferee to apply for non-agricultural permission within six months, extendable up to two years, and to utilise the land for the sanctioned purpose within a stipulated period following grant of such permission, subject to further extensions as provided. Non-compliance entails deemed cancellation of the sanction and invalidation of the transfer. The provisos clarify that initiation of bona fide steps towards utilisation shall constitute compliance, and also empower the Collector, for recorded reasons, to permit use of the land for an alternative purpose where the original purpose cannot be fulfilled. The Explanation confers finality upon the decision of the Collector in determining whether the steps taken are bona fide.

20. The scheme of Rule 25-C thus operates with Section 43, not only by specifying the grounds for granting sanction but also by attaching obligations to ensure that the transfer serves the intended purpose, failing which the sanction stands revoked by operation of law.

21. Having considered these rival submissions, the first question which comes for determination is regarding the nature and scope of power under Section 43 of the Act. The section imposes a restriction on transfer of land which is purchased by a tenant or otherwise covered under the provisions of the Act. It mandates that such transfer cannot be effected without sanction of the Collector. It seeks to ensure that agricultural land does not pass in a manner contrary to the policy of the statute. At the same time,



when the language of the section is examined, it becomes clear that it speaks only about requirement of prior sanction and the consequence of transfer made without such sanction.

22. Rule 25-C, which supplements Section 43, lays down the circumstances under which sanction may be granted and also attaches certain conditions to such grant. The Rule further provides that in certain situations, if the transferee fails to comply with post-transfer conditions, the sanction shall be deemed to have been cancelled. This provision applies where the transferee, after obtaining permission and completing the transaction, does not utilise the land for the purpose for which sanction was granted within the prescribed time, or fails to observe conditions which are directly linked with the use and enjoyment of the land. The Rule must be read according to its language. It does not create a power in the authority to review or cancel permission on any ground whatsoever. In the present case, the impugned order of revocation is not founded upon any breach of such post-transfer conditions. There is no finding that the petitioners failed to use the land for the permitted purpose or violated any time-bound obligation. Instead, the revocation is based on circumstances existing prior to grant, namely pendency of civil suit, and also on the issue relating to identity of purchaser.

23. The entire basis of the action proceeds on the ground that pendency of a civil suit was a material circumstance which ought to have been disclosed and that non-disclosure amounts to suppression. Rule 25-C sets out the circumstances in which sanction under Section 43 may be granted and the conditions



subject to which such sanction operates. The Rule enumerates categories such as requirement for industrial or commercial purpose, benefit of charitable institution, bona fide non-agricultural use, personal necessity of the landholder, exchange, gift, and other defined situations. The Rule also prescribes consequences where conditions are not complied with. However, a plain reading of the Rule does not indicate that pendency of a civil suit is a disqualifying circumstance or a condition precedent for grant of permission. In absence of such provision in the rule, it becomes difficult to accept the contention that non-disclosure of pendency of litigation would amount to suppression of a material fact, so as to render the permission liable to be cancelled. A fact can be said to be material only when the rule makes it relevant for the decision-making process. Where the Rule itself does not recognize pendency of a suit as a circumstance affecting grant of permission, the omission to state such fact cannot be elevated to the level of suppression.

24. It is true that administrative orders may incorporate certain conditions. Condition No. 4 in the present case refers to pendency of proceedings. Yet, condition must be read with the statute and the Rules. A condition cannot travel beyond the rules to introduce a ground which the Rule-making authority itself has not contemplated. If Rule 25-C does not treat pendency of litigation as a relevant circumstance, then a condition in the permission order cannot be construed in a manner so as to expand the Rule. Moreover, there is no finding recorded by the authority that any of the conditions enumerated under Rule 25-C were breached by the



petitioners. The case of the State is not any of the post-transfer obligations were violated. The basis remains confined to pendency of the civil suit and the alleged non-disclosure thereof. When the Rule itself does not recognise such circumstance, the conclusion of breach becomes unsustainable.

25. The objection raised by the State regarding execution of the sale deed in favour of a company instead of the named individuals also requires consideration. It is true that the permission order refers to individuals and ordinarily the transaction is expected to conform to such permission. At the same time, the petitioners have explained that the company was the purchasing entity and that the individuals named were its directors. The Act regulates transfer of agricultural land with certain safeguards. It does not appear from the record that the authority has demonstrated any breach such as transfer to an ineligible person or violation of ceiling limits or misuse of land. Therefore, although the objection of the State raises some doubt, it is not sufficient to invalidate the entire transaction, particularly after long passage of time. The consequence of cancellation is serious and cannot be based on a technical deviation unless it strikes at the root of legality.

26. In that view of the matter, the reasons assigned by the Additional Collector proceeds on a ground not contemplated by the statutory scheme. The finding of suppression is not supported by the scheme of Section 43 read with Rule 25-C. Consequently, the basis for invoking cancellation stands weakened. This aspect, when read with delay and completion of the transaction, supports the conclusion that the impugned action cannot be sustained.



27. In view of the foregoing discussion and for the reasons recorded hereinabove, the following order is passed:

- (i) The writ petition is allowed;
- (ii) The order dated 3 October 2008 passed by the Additional Collector, Raigad, Alibaug is quashed and set aside;
- (iii) The order dated 13 June 2012 passed by the President, Maharashtra Revenue Tribunal, Mumbai, recalling the earlier order, is also quashed and set aside;
- (iv) The judgment and order dated 11 April 2012 passed by the President, Maharashtra Revenue Tribunal, Mumbai in Revision Application No. TNC/REV/400/B/2008 is restored;
- (v) The sale transaction effected pursuant to the permission dated 23 April 1997 and the consequential mutation entries shall stand revived and shall continue to operate in accordance with law;
- (vi) Rule is made absolute in the aforesaid terms. There shall be no order as to costs.
- (vii) All pending interlocutory application(s) stand disposed of as infructuous.

(AMIT BORKAR, J.)