

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SUFIYAN
EHTESHAM
SYED

Digitally
signed by
SUFIYAN
EHTESHAM
SYED

Date:
2026.10.15
10:13:47
+0530

WRIT PETITION NO.9953 OF 2026

Rahul Uttam Dhane & Ors.	....	Petitioners
Vs.		
State of Maharashtra, through Additional Chief Secretary & Ors.	....	Respondents

**WITH
WRIT PETITION NO.8208 OF 2026**

V. Aravindakshan	....	Petitioner
Vs.		
State of Maharashtra	....	Respondents

**WITH
WRIT PETITION NO.8205 OF 2026**

Dattatray Gopal Jadhav	....	Petitioner
Vs.		
State of Maharashtra	....	Respondents

**WITH
WRIT PETITION NO.8207 OF 2026**

Kailas Sahu	....	Petitioner
Vs.		
State of Maharashtra	....	Respondents

**WITH
WRIT PETITION NO.8206 OF 2026**

Fanikumar Sarveshwarrao Pemmaraju	....	Petitioner
Vs.		
State of Maharashtra	....	Respondents

Adv. Kuldeep Nikam i/b. Adv. Kiran Nanaso Patil, Advocate for Petitioners
in all Petitions

Mr. Ketan Joshi a/w. Ms. Savina R. C. 'B' Panel Counsel for State in WP
No. 9953 of 2026.

S. D. Chipade, AGP for the State in WP No. 8208 of 2026.

Ms. M. Srivastava, AGP for the State in WP No. 8205 of 2026

V. R. Raje, AGP for the State in WP No. 8207 of 2026.

P. G. Sawant, AGP for the State in WP No. 8206 of 2026.

CORAM : ARUN R. PEDNEKER, J.
Date : 12th OCTOBER 2026

P.C. :

1. Learned Counsel for the Petitioners submits that the present matters stand concluded by two judgments of this Court: the judgment dated 24.10.2024 passed by the Division Bench in Writ Petition No. 11180 of 2024, and the subsequent judgment passed by the learned Single Judge in Writ Petition No. 8653 of 2025 dated 22.07.2025.

2. The facts are identical. The Petitioners have purchased their respective lands from Mr. K. R. Malik, Chairman and Managing Director of M/s. Sairung Developers and Promoters Private Limited. The Circle Officer rejected the certification of Mutation Entry No. 5571 dated 12.03.2026 as per Writ Petition No. 8205 of 2026.
3. The chart below depicts rejection of certification of Mutation Entries in all the Writ Petitions :

Sr. No	Writ Petition Nos	Sale Deed No and Date	Mutation No.	Rejection Date
1	Writ Petition No. 8205 of 2026.	Sale Deed No. 4707 of 2026 dated 13.02.2026.	Mutation Entry No. 5571 dated 17.02.2026	12.03.2026
2	Writ Petition No. 8208 of 2026.	Sale Deed No. 10223 of 2013 dated 26.12.2013	Mutation Entry No. 5622 dated 23.03.2026	08.04.2026
3	Writ Petition No. 8207 of 2026.	Sale Deed No. 74 of 2017 dated 10.01.2017	Mutation Entry No. 5621 dated 23.03.2026	08.04.2026
4.	Writ Petition No. 8206 of 2026.	Sale Deed No. 10715 of 2014 dated 31.12.2014	Mutation Entry No. 5620 dated 23.03.2026	08.04.2026
5.	Writ Petition No. 9953 of 2026.	Sale Deed No. 24849 of 2025 dated 24.12.2025	Mutation Entry No. 7017 dated	27.01.2026

			24.12.2025	
--	--	--	------------	--

4. The Circle Officer declined to certify the Mutation Entry on the ground that the State Government had issued a notification dated 10.07.2023 under Sections 4 and 5(1) of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999, in respect of properties of M/s. Sairung Developers and Promoters Private Limited, a financial establishment.

5. By order dated 24.10.2024 in Writ Petition No. 11180 of 2024 and order dated 22.07.2025 in Writ Petition No. 8653 of 2025, this Court directed the concerned authorities to certify the mutation entries, observing that the properties in respect of which certification was sought did not form part of the notification issued by the Home Department in exercise of the powers under Sections 4 and 5(1) of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

6. The present Petitioners are identically situated. Accordingly, the Petitions are allowed in terms of Prayer Clauses (a) and (b), which read as under :

I) In Writ Petition No. 8208 of 2026 :-

“(a) Quash and set aside the impugned order dated 08.04.2026 passed by the Respondent No. 2 – Circle Officer, Thergaon, Taluka Mulshi, District Pune, being illegal, arbitrary and bad in law ;

(b) Pass appropriate order directing the Respondent No. 2 – Circle Officer, Thergaon, Taluka Munshi, District Pune to certify the Mutation Entry No. 5622 being effected on the basis of registered Sale Deed No. 10223 of 2013 dated 26.12.2013 in the interest of justice;”

II) In Writ Petition No. 8205 of 2026 :-

“(a) Quash and set aside the impugned order dated 12.03.2026 passed by the Respondent No. 2 – Circle Officer, Thergaon, Taluka Mulshi, District Pune, being illegal, arbitrary and bad in law ;

(b) Pass appropriate order directing the Respondent No. 2 – Circle Officer, Thergaon, Taluka Munshi, District Pune to certify the Mutation Entry No. 5571 being effected on the basis of registered Sale Deed No. 4707 of 2026 dated 13.02.2026 in the interest of justice;”

III) In Writ Petition No. 8207 of 2026 :-

“(a) Quash and set aside the impugned order dated 08.04.2026 passed by the Respondent No. 2 – Circle Officer, Thergaon, Taluka Mulshi, District Pune, being illegal, arbitrary and bad in law ;

(b) Pass appropriate order directing the Respondent No. 2 – Circle Officer, Thergaon, Taluka Munshi, District Pune to certify the Mutation Entry No. 5621 being effected on the basis of registered Sale Deed No. 74 of 2017 dated

10.01.2017 in the interest of justice;”

IV) In Writ Petition No. 8206 of 2026 :-

“(a) Quash and set aside the impugned order dated 08.04.2026 passed by the Respondent No. 2 – Circle Officer, Thergaon, Taluka Mulshi, District Pune, being illegal, arbitrary and bad in law ;

(b) Pass appropriate order directing the Respondent No. 2 – Circle Officer, Thergaon, Taluka Munshi, District Pune to certify the Mutation Entry No. 5620 being effected on the basis of registered Sale Deed No. 10715 of 2014 dated 31.12.2014 in the interest of justice;”

IN WRIT PETITION NO. 9953 OF 2026 :

7. The facts are slightly different in the present case. There appears to be a misidentification of the property by the Respondents in respect of Survey No. 89. The property is identified in the notification at Item No. 101 as Khata No. 556121, Gat No. 89, admeasuring 0.04.35 H.R. Sq. Mtr., belonging to Mr. K. R. Malik. However, the Petitioner has purchased an area admeasuring 10.38 R out of the total area of 0.39.62 R.

8. However, the property described in the notification does not correspond to the property bearing the survey number referred to in the present Petition.

9. This Court, in similar factual circumstances, passed an order dated 13.10.2025 in Writ Petition No. 12272 of 2025 concerning the property bearing Survey No. 89, Khata No. 10370, wherein a similar issue of misidentification by the Circle Officer had arisen.

10. Considering the above, the orders passed in the other Writ Petitions shall also apply to the present Petition No. 9953 of 2026. Accordingly, the Petition is allowed in terms of Prayer Clauses (a) and (b), as noted below:

(a) Quash and set aside the impugned order dated 27.01.2026 passed by the Respondent No. 2 – Circle Officer, Thergaon, Taluka Mulshi, District Pune, being illegal, arbitrary and bad in law ;

(b) Pass appropriate order directing the Respondent No. 2 – Circle Officer, Thergaon, Taluka Munshi, District Pune to certify the Mutation Entry No. 7017 being effected on the basis of registered Sale Deed No. 24849 dated 24.12.2025 in the interest of justice;”

(ARUN R. PEDNEKER, J.)