

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5521OF 2012

Jagannath s/o Chindha Salve ..PETITIONER

VERSUS

Sadhu s/o Radu Salve & ors. ..RESPONDENTS

Mr S.V. Natu, Advocate for petitioner

CORAM : N.W. SAMBRE, J.

DATE : 30th March, 2015

ORAL ORDER :

The objection to the mutation entry sanctioned in favour of respondent is the subject-matter of present petition.

2. Admittedly, the petitioner has already instituted Regular Civil Suit No.37 of 2009, which is pending on the file of Civil Judge Junior Division, Sakri, in which the property about which the mutation is sought is also subject-matter.

3. It is not in dispute that the orders passed in mutation proceedings before the revenue authorities lack originality and as such parties are required to get their rights adjudicated in civil suit.

4. Admittedly, the civil suit for partition is pending.
5. It is open for the petitioner to raise issue to that effect in the said civil suit.
6. In view of above, the petition being devoid of merits stands dismissed with no order as to costs.

(N.W. SAMBRE, J.)

amj