

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.8513 OF 2012 IN
CIVIL APPLICATION NO.9810 OF 2011 IN
LETTERS PATENT APPEAL NO.40 OF 2008 IN
WRIT PETITION NO.1906 OF 2007

Vasant s/o Ramchandra Patil,
died, through L.Rs.

Applicants

Versus

The State of Maharashtra & others

Respondents

None appears for applicants.

Mr.P.P.More, A.G.P. for Respondents No.1 to 4.

Mr.M.M.Bhokarika, advocate for Respondents No.5 to 8.

CORAM : R.M.BORDE &

SUNIL P. DESHMUKH, JJ.

DATE : 12th February, 2015

PER COURT:

These are applications presented by the applicants seeking restoration of the application presented for restoration of appeal dismissed for want of prosecution and for restoration of appeal dismissed for non prosecution as well as for condonation of delay occurred in presenting the applications.

Considering the contentions raised in the application, both the applications are allowed. Civil Application seeking restoration of Civil Application for restoration of appeal dismissed for want of prosecution is allowed. Delay occurred in presenting the application stands condoned. The order dismissing LPA for want of prosecution is recalled and Letters Patent Appeal is restored to its original number.

Both the Civil Applications stand disposed of.

**SUNIL P. DESHMUKH
JUDGE**

**R.M.BORDE
JUDGE**

adb/ca851312

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PER COURT:

1 None appears for appellants.

2 We have perused the order passed by the learned Single Judge in Writ Petition No.1906 of 2007 on 30.01.2008. The dispute between the parties relate to recording of mutation entries.

3 It is well established that the revenue entries are recorded for fiscal purposes and such entries, in themselves, do not constitute evidence in respect of ownership or entitlement of a party in relation to immovable property in question. The revenue entries recorded by the revenue officials can be corrected in accordance with determination of rights of the parties by the competent Civil Court, concerning the immovable property. In the light of the principle enumerated in para 3 of the judgment

delivered by the learned Single Judge, no interference is called for in the LPA. LPA is devoid of substance.

4 Hence, Letters Patent Appeal stands dismissed. Pending Civil applications, do not survive and stand disposed of.

SUNIL P. DESHMUKH
JUDGE

adb/ca851312

R.M.BORDE
JUDGE