

IN THE HIGH COURT OF JUDICATURE OF BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 1054 OF 2015

Smt. Narmadabai Rangrao Patil
& others

... Petitioners

Versus

The State of Maharashtra
& others

... Respondents

.....
Mr. P.B. Patil , Advocate for petitioners
Mr. D.R. Korde, A.G.P. for respondent Nos. 1 to 4
.....

CORAM : RAVINDRA V. GHUGE, J.

DATED : 10th FEBRUARY , 2015

PER COURT :

1. I have heard the learned Advocate for the petitioners at length. He vehemently criticises the impugned judgments dated 27-12-2001 in R.T.S. Appeal No. 10 of 2001, 24-12-2003 passed in R.T.S. Appeal No. 54 of 2002 by the Additional Commissioner, Nashik and the judgment dated 15-10-2013 passed by the appellate authority i.e. Hon'ble Minister in R.T.S. Appeal No. 3204 (A) of 2011.

2. Issue pertains to cancellation of mutation entries. This Court in the case of **Shrikant R. Sankanwar & Ors. Vs. Krishna**

Balu Naukudkar, reported at 2003 (3) Bom. C.R. 45, has laid down the law that the mutation entries are purely for fiscal / taxation purposes. They do not decide right, title or interest of any person in the property at issue. It is the only the Civil Court which can decide the right, title or interest of a claimant and as such the conclusions of the Civil Court shall be binding on the Revenue Officers and the revenue entries. In the concurrent judgments against the petitioner, liberty to avail civil remedies has been kept open.

3. In the light of the above, since the petitioner is at liberty to take recourse to such a remedy as may be available to them under the Civil law for establishing their right, title, and interest at issue, this petition need not be entertained and is, therefore, disposed off with the said liberty.

4. Needless to state, all the contentions of the petitioners are kept open in the event they take recourse to any remedy available to them in law.

(**RAVINDRA V. GHUGE, J.)**