

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 29 OF 2014

Madhukar Balkrishna

Chatim Haldankar (since deceased)

through legal heirs,

All major of age and

r/at Sonar Wada,

Betim, Bardez, Goa.

.... Applicant-Petitioner

V e r s u s

State of Goa and 6 others.

..... Respondents.

Mr. J. J. Mulgaonkar, Advocate for the Petitioner.

Mr. S. S. Rebello, Addl. Government Advocate for Respondents
no.1, 3.

Mr. A. D. Bhobe, Advocate for the Respondents no.5.

CORAM: N. M. JAMDAR, J.

DATE: 17 TH FEBRUARY, 2015.

ORAL ORDER:

1. The writ petition challenges the order passed by the authorities under the Land Revenue Code in respect of correction of revenue record. The learned counsel for the petitioner submitted that the error is apparent on record as the

mutation entry is made in wrong survey number . The learned counsel for the respondent no.5 disputes this position.

2. The civil suit is pending between the petitioner and respondent no.5 in respect of the same property. It is settled law that entries in revenue record does not confer any title and they are primarily maintained for fiscal purpose. This Court has taken a consistent view not to exercise writ jurisdiction in such matters, especially when a civil dispute between the parties is pending. In view of this position, the petition is disposed off by keeping all the contentions on merit open and clarifying that the entries made in the revenue record in respect of the property in question shall be subject to the final outcome of the suit, and it will not affect the merits of rival contentions in the pending suit.

N. M. JAMDAR, J.

Ap/-