

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1145 OF 1992

Ramchandra Barkya Bhaiandarkar
since deceased by LRs
Bayabai R. Bhaindarkar & Ors. .. Petitioners
VS.
Arjun Pandurang Koli, since deceased
by LRs Shantibai A. Loli & Ors. .. Respondents

Mr. G. V. Nagarsheth for Petitioners.
None for Respondents.

CORAM : M. S. SONAK, J.
DATE : 12 FEBRUARY, 2015

P.C. :-

1] The learned counsel for the petitioners submits that he has no instructions in the matter.

2] The challenge, in the present petition, pertains to the order dated 16 August 1991 made by the Additional Commissioner, Konkan Division in RTS Revision No. 20 of 1988. The matter pertains to entries in the revenue records.

3] The learned counsel for the petitioners submits that the petitioners had already instituted a substantive civil suit in the matter, though he submits that he has no instructions as to the fate

of the same. Since a substantive civil suit has already been instituted, there is no reason to interfere with the impugned orders. Entries in revenue records, are by no means determinative of the title of the parties to the property concerned.

4] Accordingly, the present petition is dismissed. However it is clarified that neither the impugned orders nor the dismissal of the present petition shall influence the civil court in the substantive suit, assuming that the same is pending till date.

5] With the aforesaid observations, the present petition is disposed of. There shall be no order as to costs. Interim orders, if any, stand vacated.

(M. S. SONAK, J.)

Chandka