

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION NO.311 OF 2015
IN
WRIT PETITION NO.2291 OF 2015**

**Mrs. Kumud Suresh Kedari and ors. : Petitioners
versus
Rajan Prabhakar Tendulkar and ors. : Respondents.**

**Mr. M M Vashi, Senior Advocate a/w Ms. Divya Shah i/by Divya Shah & Co.
for the Petitioners.**

Mr. A G Kundekar for the Respondent Nos.1 and 2.

Ms. Aparna Vhatkar AGP for the Respondent No.6.

CORAM : R. M. SAVANT, J.

DATE : 17th August 2015

P.C.

1 The contempt alleged is of the order dated 4/3/2015 passed in the above Writ Petition No.2291 of 2015. By the said order the parties were directed to maintain status quo in the matter.

2 The above Contempt Petition is founded on the fact that though an order of status quo was passed on 4/3/2015, Mutation Entry No.1232 has been effected on 8/4/2015 in favour of the Respondent Nos.1 ;and 2. The said Mutation Entry has been effected pursuant to the order dated 17/01/2015 passed by the Revisionary Authority by which order the Revision Application filed by the Respondent Nos.1 and 2 herein came to be allowed and resultantly, the order dated 3/2/2006 passed in RTS/Revision No.7/2004, the order dated

13/2/2007 passed in RTS/Appeal No.2/2006 and the order dated 30/12/2009 passed Appeal/Desk/RTS-370/2008 came to be set aside and Mutation Entries Nos. 2324 and 2632 of village Makunsar, Taluka Palghar, District Palghar came to be confirmed. A Mutation Entry No.594 was effected in favour of the Petitioners prior to the impugned order.

3 In my view, it is not necessary to enter into the controversy as to whether the Mutation Entry No.1232 was effected during the currency of the order dated 17/1/2015 and whether the Respondent Nos. 1 and 2 had knowledge of the said order dated 4/3/2015 and inspite of the same have got the mutation entry effected. However, having regard to the fact that the above Petition challenging the order passed by the Revisionary Authority dated 17/01/2015 has been disposed of without interfering with the said order dated 17/01/2015 it would be just and appropriate to set aside the said Mutation Entry No.1232 and put the parties back to the position which was prevailing as on 4/3/2015. Needless to state that the authorities would be entitled to take cognizance of the order passed by the Revisionary Authority and give effect to the same in the revenue record. With the aforesaid observations, the above Contempt Petition is disposed of.

[R.M.SAVANT, J]