

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10114 OF 2015

Mr. Arjun Raghunath Mokal and Ors.] ... Petitioners

Versus

The State of Maharashtra and Ors.] ... Respondents

Mr. A. G. Damle, Senior Advocate, i/b Mr. Hemant Ghagidaonkar for
Petitioners.

Mr. A. R. Metkari, A.G.P., for Respondent Nos.1 to 3.

Ms. Sayali Bhaidkar for Respondent Nos.5, 7 and 8.

CORAM :- M. S. SONAK, J.

DATE :- OCTOBER 29, 2015

P. C. :-

1. The challenge in this petition is to the order dated 25/06/2015 made by the State Government and the order dated 27/02/2013 made by the District Superintendent of Land Records in relation to omissions of certain entries in revenue records. Both the authorities have held that the issues raised by the petitioners can conveniently be adjudicated by institution of civil proceedings and accordingly, declined the relief to the petitioners in the context of omissions in revenue records. There is no jurisdictional error in the impugned order. Besides, the petitioners have already instituted a civil suit being R.C.S. No.239 of 2015 in the Court of Civil Judge

Senior Division at Panvel. In this suit, obviously, the petitioners have claimed substantive rights. It is well settled that mere entries in revenue records are not determinative of rights and title of the parties to any property. Accordingly, it is not necessary to entertain the present petition. However, it is clarified that the Civil Court, in dealing with the civil suit in accordance with law and on its own merits, shall not permit itself to be influenced by the orders impugned in this petition or the circumstance of non-entertainment of this petition. Accordingly, all issues and contentions of all the parties are left open to be adjudicated by the Civil Court.

2. With the aforesaid observations, this petition is disposed of. There shall be no order as to costs.
3. All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)