IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9186 OF 2014

Shri. Pawan Moolchand Hemnani and others .. Petitioners
Versus
Insuitech Finance & Securities and others .. Respondents

Mr. S. K. Shinde i/by Mr. Sudam Kale, for the Petitioners.
Mrs. V. S. Nimbalkar, AGP for the Respondent Nos.2 to 6.
Mr. A. M. Kulkarni i/by Mr. Vikas Takalkar, for the Respondent No.1.

CORAM : R.M. SAVANT, J.
DATE : 3rd AUGUST, 2015

P.C.

1. The Writ Jurisdiction of this Court is invoked against the order dated 10.08.2014 passed by the Revisionary Authority i.e. the then Hon'ble Revenue Minister, Maharashtra State, Mumbai, by which order, the order dated 13.02.2012 passed by the Additional Commissioner, Nashik Division, Nashik came to be set aside. The dispute in the proceedings relates to mutation entry No.59023 effected in favour of the Petitioner. The Petitioner claims to have a development agreement and Power of Attorney from one Mr. Patel and one Mr. Gautam Contractor. The said Mr. Patel and Mr. Gautam Contractor in turn had development agreement from the original owner Mr. Gopichand Malhari Pagar who is

the owner of the land admeasuring 43000 sq.mtrs. The Respondent No.1 herein has a development agreement from the original owner for the entire land i.e. 43000 sq.mtrs. The development agreement in favour of the Petitioner was restricted to 17,785 sq.mtrs out of the said 43000 sq.mtrs. The Appeal filed by the Respondent No.1 against the mutation effected in favour of the Petitioner was dismissed by the Sub Divisional Officer by order dated 16.10.2009. The Respondent No.1 thereafter filed an Appeal before the Additional Collector, which came to be allowed by the Additional Collector by the order dated 17.01.2011. The Petitioner herein thereafter carried the matter by way of further Appeal before the Additional Commissioner, Nashik Division, Nashik, which came to be allowed by the order dated 13.02.2012 and resultantly, the mutation entry No.59023 in favour of the Petitioner came to be confirmed. The Respondent No.1 thereafter carried the matter in second Revision before the State Government, which came to be allowed by the impugned order dated 10.08.2014 and resultantly, the order passed by the Additional Commissioner came to be set aside. It is well settled that the entries in the revenue record are only for fiscal purposes and do not confer any right or take away rights of the parties. If the Petitioner is claiming any right in the property admeasuring 17,785 sq.mtrs., it would be open for the Petitioner to adopt appropriate civil proceedings for asserting the said rights. Hence, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M. SAVANT, J]