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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10012 OF 2014

Sou. Najma Naeem Mulla & Ors.

..Petitioners.

V/s.

The Gaon-kamgar Talathi & Ors.

..Respondents.

Mr.Akshay P.Shinde for the petitioners.

Mr.V.S.Gokhale, AGP for the respondent Nos.1 to 4.

**CORAM : A.S.OKA AND
A.K. MENON, JJ.**

DATED : 9TH MARCH, 2015

P.C. :-

1. Heard the learned counsel appearing for the petitioners and the learned AGP for the first to fourth respondents. The petition deserves to be disposed of in terms of the order dated 23rd February, 2015 in Writ Petition No.477 of 2015 as there is no dispute that the facts of the cases are similar.

2. The grievance made in this petition under Article 226 of the Constitution of India is that on the basis of the sale deeds, the details of which have been incorporated in Exhibit-A to the petition, though the petitioners have acquired certain lands, the mutation entries in terms of the sale deeds have not been effected. We had granted time to the learned AGP to take instructions. He states that notwithstanding a letter sent by him, he has not received any instructions.

3. In our view, the issue will be governed by the Judgment

and Order dated 18th June 2014 passed by this Court in Writ Petition No.2833 of 2014 in the case of Satish Babaso Desai Vs. Circle Officer, Circle Office, Kabnoor & Others.

4. Accordingly, we dispose of the petition by issuing directions in terms of clauses (b) to (e) of paragraph 5 of the Judgment and Order dated 18th June 2014.

5. Accordingly, we dispose of the petition by passing the following order:-

- (i) We direct that appropriate steps shall be taken in accordance with sub-section (1) of section 150 of the Maharashtra Land Revenue Code, 1966 by making an entry in register of mutations within a period of eight weeks from today;
- (ii) After such entry is made as aforesaid, further steps as contemplated under subsection (2) of Section 150 of the said Code shall be taken;
- (iii) It is obvious that all authorities under the said Code will have to follow the law laid down by this Court in its decision in the case of Shrikant R. Sankanwar & Others vs. Krishna Balu Naukudkar, 2003 (2) Mh.L.J. 276;
- (iv) Petition is disposed of in the above directions;
- (v) We make it clear that this Court has not made any adjudication on legality and validity of the said transactions on which the petitioners are relying upon;

(A.K.MENON, J.)

(A.S.OKA, J.)