

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11727 OF 2014

Smt. Susheela Rao @ Chandrakala .. Petitioner
vs.
The State of Maharashtra & Ors. .. Respondents

Mr. Onkar Gupte i/b. GP Law & Associates for Petitioner.
Ms Aparna Vhatkar – AGP for Respondent Nos. 1 to 3 and 6 to 10.
Ms Minal Chavan i/b. Mr. Vinay Hegde for Respondent Nos. 12(a) to (e)
Mr. Jabbar M. Shaikh – Respondent No. 13 present in person.
Mr. Abhishek Dhoot i/b. Mr. Manohar Shetty for Respondent No. 14.

CORAM : M. S. SONAK, J.
DATE : 18 FEBRUARY, 2015

P.C. :-

1] This petition is directed against the order made by the Revenue Minister on 21 August 2014 in the matter of entries in revenue records. The learned counsel for the petitioner submits that the respondents seek entries in their favour by relying upon documents which are forged and fabricated. The learned counsel also pointed out that pursuant to certain orders made by this Court even FIRs have been directed to be registered against some of the respondents.

2] It is settled position in law that mere entries in revenue records are by no means determinative of title to the suit

properties. In these circumstances, there is no necessity to entertain the present petition.

3] However, it needs to be clarified that the petitioner shall be at liberty to institute civil suit before the civil court, in order to assert rights in respect of the suit properties. In such proceedings, if instituted, the civil court shall decide the issues on their own merits and in accordance with law. Further, the civil court shall not at all be influenced by any orders made in the revenue proceedings, including the order impugned in this petition. The civil court shall also not be influenced by the circumstance that this petition has not been entertained by this Court.

4] All contentions of all parties shall be left open for decision in such proceedings. With the aforesaid observations, the present petition is not entertained.

5] There shall be no order as to costs.

(M. S. SONAK, J.)