

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 475 OF 2012

Goenka Infra Projects Pvt. Ltd. ... Petitioners.
Versus
Rajendra Gole, City Survey Officer & anr. ... Respondents.

WITH

CHAMBER SUMMONS NO. 118 OF 2012
IN
WRIT PETITION NO. 475 OF 2012

Goenka Infra Projects Pvt. Ltd. ... Petitioners.
Versus
Rajendra Gole, City Survey Officer & anr. ... Respondents.
And
Mumbai International Airport Pvt.Ltd. ... Applicant.

Mr. Pranav Sampat a/w. Ms. Savani Gupte i/b. Khaitan & Co,
advocate for petitioners.

Ms. Geeta Shastri, Addl. Govt. Pleader for respondent Nos. 1 to 3.

Mr. P.K. Samdhani, Sr. Counsel i/b. Wadia Ghandy & Co., advocate
for respondent No. 4.

CORAM : B.R. GAVAI & A.S. GADKARI, JJ
DATE : APRIL 15, 2015

P.C.:

1 The Petitioner approached this Court praying for direction to the respondent No. 1 to implement the order passed by the Deputy Director of Land Records. Perusal of the impugned order would reveal that indisputedly there is civil suit pending between the petitioner and the respondent No.4. Perusal of paragraph-4 of the operative order itself would reveal that the learned Appellate Authority has directed the original entry to be continued till the civil suit between the parties be decided.

2 By now it is settled position of law that entries in the Revenue Record do not vest any title on the parties. It is also equally settled that the Revenue authorities while adjudicating lis between the parties have no right to embark on an enquiry regarding titles on the parties. It is only competent civil court which can decide the issue regarding the title of the parties. In that view of the matter, we do not find that the directions as sought can be issued in as much as the question regarding taking entry in the Revenue records would arise

only after the civil suit between the parties is decided. In that view of the matter, we do not find that the case of interference is made out. The Writ Petition is dismissed.

3 In view of disposal of the Writ Petition, nothing survives in the Chamber Summons. The same is disposed of accordingly.

(A.S. GADKARI, J)

(B.R.GAVAI,J)