

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

18 WRIT PETITION NO.10653 OF 2015

CHANDRAKALA HUKUMCHAND MUTHA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Adhav D.R.
AGP for Respondents: Mr. V.M. Kagne
...

CORAM : R. M. BORDE, J.

Date: January 18, 2016

...
PER COURT :-

1 Perused the Judgment, delivered by the Additional Commissioner, Nasik division, Nasik. Since the mother of the petitioners has not been declared as an heir of Tulsabai, having entitlement in relation to the property in dispute, the petitioners, who claim right through deceased Surajbai did not have any entitlement. The decision rendered by the MRT, Pune in revision petition presented by Surajbai has attained finality and the petitioners are not in a position to demonstrate any Judgment or an order either of the Civil Court or of Tenancy Authority upholding the entitlement of Surajbai.

2 In this view of the matter, no fault can be found with the decision rendered by the Revenue Authorities. It is well settled that, revenue entries are recorded for fiscal purposes and such entries in themselves do not constitute any evidence in respect of ownership of any person or entitlement of such party in relation to the property in dispute. Such revenue entries can be corrected in accordance with determination of rights of the parties by the Civil Court or Tenancy Court.

3 It would be open for the petitioners to avail of the remedies available in law for establishing their entitlement to the property.

4 In view of observations as above, writ petition stands dismissed.

(R.M.BORDE, J)