

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3341 OF 2017

SUBHASH RAMDAS KOLI AND ANOTHER
VERSUS
RAMDAS MADHAV KOLI DIED LRS SHEVANTABAI RAMDAS KOLI AND
OTHERS

...
Advocate for Petitioners : Shri Talhar Ajay G..

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 08th August, 2017

Per Court:

1 The Petitioners are aggrieved by the order dated 31.01.2005 passed by the Additional Collector, Jalgaon and the order dated 26.09.2016 passed by the Additional Commissioner, Nashik Division, Nashik.

2 I have heard the submissions of the learned Advocate for the Petitioners. It is informed that Special Civil Suit No.75/2016 has been filed by these Petitioners seeking partition, separate possession and declaration.

3 This Court, in the matter of Shrikant R. Sankanwar and others vs. Krishna Balu Naukudkar, 2003 (3) BCR 45, has concluded that the mutation entries are merely for fiscal purposes. They do not decide the

right, title or interest of any person in the property at issue. Such rights are to be adjudicated upon by the Civil Court and after the rights are crystallized by the Civil Court, such conclusions would be binding upon the Revenue Authorities. The mutation entries would depend on the verdict of the Civil Court.

4 Considering the above, I do not deem it appropriate to entertain this Writ Petition since the rights of the litigating sides would be subject to the result of Special Civil Suit No.75/2016. This Writ Petition is, therefore, dismissed.

kps

(RAVINDRA V. GHUGE, J.)