

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

BENCH AT AURANGABAD.

**WRIT PETITION NO.4064 OF 2013
WITH
C.A.NO.1650 OF 2014
C.A.NO.2966 OF 2015
IN
WRIT PETITION NO.4064 OF 2013.**

Subhash S/o Vishnu Pathak
and others. ... Petitioners.

Versus

Arun S/o Mahadeo Pathak
and others. ... Respondents.

...
Mr.Hemant Surve, advocate for the petitioners.
Mr.M.M.Nerlikar, A.G.P. for the State.
Mr.N.N.Desale, advocate for Respondent No.1.
Mr.G.S.Rane, advocate for Respondent No.2.
...

CORAM : S.V.GANGAPURWALA J.

Date : 28.08.2017.

PER COURT :

1. The dispute is about the mutation entries in the present suit.

2. I have heard Mr.Surve, learned counsel

for the petitioners, Mr.Desale, learned counsel for Respondent No.1, Mr.Rane, learned counsel for Respondent No.2.

3. It appears that the present petitioners have already instituted RCS No.72/2011 for the relief of declaration, injunction and correction of property record.

4. When the Civil Court is seized with the matter. It would be appropriate for the Civil Court to decide the said aspect.

6. It is trite that the entries in revenue record are meant for fiscal purposes and are always subject to any decision that would be given by the Civil Court. The revenue authorities are bound to give effect to the judgment of the Civil Court while affecting mutation entries.

7. As Civil suit is already pending, I am not inclined to entertain the present Writ

Petition.

8. The order is passed by this Court on 9.5.2013, directing statusquo to be maintained in respect of the mutation entries. The said interim order is continued for further four weeks, so as to enable the petitioners to make appropriate application in the pending suit.

9. The Writ Petition accordingly stands disposed of. No costs.

10. In view of disposal of Writ Petition, the Civil Applications also stand disposed of.

(S.V.GANGAPURWALA, J.)

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