

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

WRIT PETITION NO. 6209 OF 2012

Nagesh Sidramappa Nare
Died through L.Rs
Sonabai and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri V. D. Sapkal, Advocate h/f Shri Jiwan J. Patil, Advocate for
Petitioners.

Shri A. P. Basarkar, A.G.P. for Respondent Nos. 1 and 2.

Shri B. R. Sontakke, Advocate for Respondent Nos. 3 and 5.

Shri R. S. Deshmukh, Advocate for the Respondent No. 4.

**WITH
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Shri A. P. Basarkar, A.G.P. for Respondent Nos. 1 and 2.

Shri B. R. Sontakke, Advocate for Respondent Nos. 3 to 5.

CORAM : S. V. GANGAPURWALA , J.

DATE : 24TH APRIL, 2017.

PER COURT :

. I have heard Mr. Sapkal, the learned counsel for petitioners and Mr. Sontakke and Mr. Deshmukh, the learned counsel for respondents.

2. The dispute appears with regard to correction of entry in the revenue record. The authorities have dismissed the proceedings filed by present petitioner. I have been told that the civil suit with regard to writ lands is still subjudice. In one of the case the respondents herein had filed civil suit bearing R.C.S. No. 159 of 1998 which came to be dismissed. Appeal against that is also dismissed and it is submitted that Second Appeal No. 692 of 2016 is pending, where this Court has passed an interim order. According to Mr. Sontakke, the learned counsel, interim orders are passed wherein rights of appellant therein are protected. Another civil suit is filed bearing R.C.S. No. 161 of 1998. Said suit is still pending. It is stated that, injunction is running against the present petitioner in the said suit.

3. The suit pending before the Civil Court would determine the rights of the parties.

4. It is trite that, entries in revenue record are meant for fiscal purposes. The entries in revenue record in themselves would not confer title upon the parties, unless there is certificate issued

under the Consolidation Act.

5. Be that as it may, at present I am not inclined to entertain the petitions as civil litigation between the parties is still subjudice. The judgments that would be delivered by the Civil Court will certainly have overriding effect upon the judgment of the revenue authorities in ROR proceedings. The revenue authorities are bound by the judgments that are delivered by the Civil Court. Eventually at the end of the litigation of Civil Court, parties can move the revenue authorities for considering the entries in tune with the judgment delivered by the Civil Court. The writ petitions accordingly are disposed of. No costs.

[S. V. GANGAPURWALA, J.]

bsb/April 17