

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

**CIVIL APPLICATION NO. 13338 OF 2015
IN WP/10752/2012**

**ANIL VITTHAL SHIROLE
VERSUS
CHANDRAKANT SHREEDHAR YEOLE AND ORS**

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Advocate for Applicant : Ms.Neha Kamble h/f Shri Adwant S.V.
Advocate for Respondents 2 and 3 : Shri U.B.Shriram h/f Shri D.S.Bagul.
AGP for Respondents 4 and 5 / State : Shri S.K.Tambe.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 01st September, 2017

Per Court:

1 By this Civil Application, the Applicant prays for a direction to the City Survey Officer, Chalisgaon to mutate the name of the Applicant in the revenue record with regard to the property Plot No.315/3 CTS No.5216-A/1.

2 The Applicant points out that by order dated 12.03.2014, this Court has permitted the transfer of the property at issue in the name of the Applicant and accordingly, Writ Petition No.10752/2012 has been disposed of.

3 The grievance of the Applicant is that the City Survey Officer is not carrying out the mutation entry in favour of the Applicant.

4 The aspect as regards carrying out the mutation entry is within the jurisdiction of the competent authority. The Authority is supposed to apply its mind and consider the request for carrying out the mutation entry. In the event, the said Authority refuses to carry out the mutation entry or carries out a mutation entry which causes prejudice to any of the litigating sides, they are at liberty to approach an appropriate forum under the Maharashtra Land Revenue Code. Considering the above, the Applicant is not remedy-less.

5 The learned AGP, appearing on behalf of Respondent Nos.4 and 5 in this application, submits that if the Applicant has a grievance that Respondent No.5 is not exercising jurisdiction vested in it by the law, the Applicant can approach a higher authority and seek redressal.

6 Considering the above and by keeping open the legal remedy available to the Applicant, this Civil Application is disposed of.

7 Needless to state, the disposal of this Civil Application shall not be construed by any Revenue Authority that this Court has adjudicated upon the claim of the Applicant in this Civil Application.