

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

907 WRIT PETITION NO. 13911 OF 2017

RAMDAS SHANKAR BHAIK AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. A. P. Gunge.
AGP for Respondent Nos.1 to 4 : Mr. S. N. Kendre.

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CORAM : **V. K. JADHAV, J.**
DATE : 05th December, 2017.

ORDER:

. I find no substance in this writ petition. As per the case of Petitioners, the Petitioners have purchased the entire Gat No.60 on 20th October, 2005 from Respondent No.5 for the consideration of Rs.1,50,000/-. On the basis of intimation given orally, Mutation Entry No.1164 came to be taken in the names of Petitioners on 10th April, 2014. Respondent No.5 has challenged the said mutation entry before the Sub Divisional Officer, Shrigonda Parner, District Ahmednagar by filing RTS Appeal No.123 of 2014. The said appeal came to be allowed by the Sub Divisional Officer by order dated 7th September, 2015. The appeal preferred by the Petitioners before the Additional Collector by filing RTS Appeal No.499 of 2015 also came to be dismissed. Even the revision preferred by the Petitioners before the

Additional Commissioner, Nashik by filing RTS Revision No.525 of 2016 also came to be rejected by confirming the order passed by the Sub Divisional Officer.

2 On perusal of the judgments passed by all the authorities as aforesaid, it appears that the Petitioners have submitted the sale-deed before the registration authority for registration. However, the same could not be registered due to the order of temporary injunction passed by the Civil Court. In the given facts, the authorities have rightly concluded that on the basis of such unregistered incomplete document, no right said to have been acquired as contemplated under Section 149 read with 150 of the Maharashtra Land Revenue Code, 1966. It would not be out of place to mention here that even if the such mutation entry is cancelled, the revenue authorities are bound to certify the mutation entry in terms of the judgment rendered by the Civil Court in the pending suit. No interference is required in the impugned order. There is no substance in the writ petition. The writ petition is hereby dismissed. No costs.

[V. K. JADHAV, J.]