

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3039 OF 2016

Rajendra Bapu Sadole & Others. .. Petitioners
Vs
State of Maharashtra and Others. .. Respondents
—
Shri Dhairyasheel Sutar for the Petitioner.
Shri Manish Pabale, APP for the Respondent Nos.1 to 3.
—

CORAM : A.S. OKA &
SMT.ANUJA PRABHUDESSAI, JJ

DATED : 9TH JANUARY 2017

PC.

1. Heard learned counsel appearing for the Petitioners. The Petitioners are seeking a writ of mandamus directing the State Government to enforce Mutation Entry No.283, a copy of which is annexed at Exhibit-E to the Petition. In the present case, the Petitioners are concerned with the land bearing Gat No.60 and its various Hissa numbers. Apart from the fact that the Hissa Nos.2 and 3 of Gat No.60 are not mentioned in the Mutation Entry, the same does not direct that an entry of the names of the Petitioners or their predecessors be made in Kabjedar Column in the revenue record.

2. Unless there is an order made by the Competent Authority under Section 22A of the Maharashtra Private Forests (Acquisition) Act,

1975 by which the lands were regranted to the Petitioners or their predecessors, their names cannot be mutated in the Kabjedar Column in the revenue record.

3. A copy of the order made under Section 22A of the said Act of 1975 in favour of the Petitioners or their Predecessors is neither relied upon nor produced.

4. Therefore, a writ of mandamus directing inclusion of names of the Petitioners or their Predecessors in Kabjedar Column of revenue record cannot be issued in this Petition. Accordingly, we decline to entertain the Petition and the same is rejected.

5. If there is an order under Section 22A of the said Act of 1975 in favour of the Petitioners or their Predecessors, as the case may be, it is for the Petitioners to make an Application to the concerned Authorities for mutating their names in the Kabjedar column of the revenue record.

(SMT.ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)