

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

WRIT PETITION NO. 2949 OF 2018
KESARIMAL MANAKCHAND SANCHETI THROUGH GPA
PRAKASH KESARIMAL SANCHETI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Shri I.D.Maniyar
AGP for Respondent Nos.1 to 4 : Shri V.S.Badakh
...

**CORAM : RAVINDRA V. GHUGE, J.
DATED : 23rd March, 2018.**

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PER COURT :-

- 1] Leave to correct prayer clause 'C'.
- 2] I have heard the learned counsel for the petitioner at length.
- 3] Contention is that the name of the petitioner alongwith the names of respondent Nos. 5 to 13 should be shown as owners and possessors of the land at issue.
- 4] There is no dispute that the petitioner and respondent Nos. 5 to 13 came together and formed a firm. The land was purchased by them in individual names. Subsequently, the said land was shown in the name of

Marathwada Ginning Factory at Mantha which was operated by the said firm. Mutation entry to that effect was accordingly carried out.

5] I find that the civil proceedings are pending in between the litigating sides, wherein, the land at issue is the suit property. This Court, in the matter of *Shrikant R. Sankanwar Vs. Krishna Balu Naukudkar, 2003(3) BCR 45*, has concluded that the revenue entries are only meant for fiscal purposes and do not decide the rights, title or interest of any person. It is only the Civil Court which can decide the right, title or interest of a litigant. The decision of the Civil Court would bind the revenue authorities and the revenue entries will have to be modified or altered strictly as per the decision of the Civil Court.

6] Considering the above and since admittedly, certain civil proceedings are pending between the parties before the Trial Court, I do not find that the conclusion of the revenue authorities to maintain the said land in the name of Marathwada Ginning Factory, Mantha pending the decision of the civil proceedings, could be termed as being perverse or

erroneous.

7] This petition being devoid of merits is, therefore,
dismissed.

(RAVINDRA V. GHUGE, J.)

shp/-