

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8921 OF 2014

Mukund Balvirsinh Thakur

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. V.B.Patil, advocate for petitioner.

Mrs. P.V. Diggikar, A.G.P. for respondents 1 to 5.

Mr. S.V. Munde, advocate holding for Mr. K.C. Sant, advocate for respondents 6 and 7.

CORAM : R.M.BORDE, J.

DATE : 19th APRIL, 2018

PER COURT:

1. Petitioner is objecting to the revenue entries recorded in the property record maintained by the City Survey Officer. It is well established principle that the revenue entries are recorded for fiscal purpose and those entries in themselves are not indicative of entitlement of parties in relation to the property nor such entries confer any title in favour of any property. The entries are liable to be modified in accordance with the decision as regards entitlement of the parties in relation to the property by the competent civil Court. It would be open for the petitioner to approach the competent civil Court and claim appropriate relief / declaration. It is not within the domain of the revenue authorities to entertain the question relating to title of the parties in relation to the suit property nor it is permissible for the revenue authorities to construe the aspect of validity of will-deed. It would be within the domain of the civil Court to consider those issues.

2. In the circumstances, petitioner shall have liberty to approach the competent civil Court for redressal of his grievance and revenue entries those are already recorded in the decision rendered by the authorities would be subject to the outcome of the civil litigation pending between the parties.

3. In view of above, writ petition is disposed of. Ad-interim relief granted by this Court on 07.10.2014 shall remain operative for a period of eight weeks from today.

R.M.BORDE
JUDGE

dyb