

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8996 OF 2014

JANABAI BHIKA PATIL
VERSUS
DHUDKU SANDU PATIL AND OTHERS

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Advocate for the Petitioner : Shri L. V. Sangeet
AGP for Respondent No.4 : Shri K. S. Patil
Advocate for respondent Nos.1 to 3 : Shri V.R. Dhorde

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 07th SEPTEMBER, 2018.

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PER COURT :

1. This Court has granted ad interim protection to the petitioner on 07/10/2014 by directing status-quo with regard to the disputed mutation entry.

2. Though the learned Advocate for the petitioner desires that this Court should deal with the impugned order on its merits, I am not inclined to do so, in view of the law laid down by this Court in the matter of *Shrikant R. Sankanwar and Ors. vs Krishna Balu Naukudkar, 2003 (3) BomCR 45*. The law is, therefore, crystalized that if a civil litigation is pending between the parties with regard to the suit property which is

subject matter of a dispute as regards the mutation entry, the verdict of the Civil Court would bind the revenue authorities and the mutation entry shall be on the basis of the verdict of the Civil Court.

3. In view of the above, this petition is disposed off by continuing the protection granted by this Court vide order dated 07/10/2014 and the disputed mutation entry shall be subject to the result of the civil litigation arising from RCS No. 45/2015.

(RAVINDRA V. GHUGE, J.)

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