

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST) NO. 15466 OF 2018

Mrs. Kehsar Prakash Khadke

... Petitioner

V/s.

State of Maharashtra & Ors.

... Respondents

Mr. Vinod Sangvikar I/b Yogesh Morbale for the Petitioner.

Mr. J.A. Madane, AGP for Respondents/State.

Mr. Sandeep Koregave for the Respondent Nos. 4 and 5.

CORAM : R.D. DHANUKA, J.

DATE : 09th JULY, 2018

P.C.:

. By this petition under Article 227 of the Constitution of India, the Petitioner has impugned the order dated 02.02.2018 passed by the Deputy Director of Land Record, Pune Division, Pune confirming the order dated 31.07.2008 passed by Superintendent of Land Record, Kolhapur in respect of mutation entry which was standing in the name of the Petitioner.

2 There was loan transaction between the Respondent No.5 and the few family members of the Petitioner. Respondent No.5 has succeeded in those transaction against the husband of the Petitioner. Respondent No.5 applied for deletion of the mutation entry from the name of the Petitioner to the name of the Respondent No.5.

3 Learned Deputy Director of Land Record has decided the matter against the Petitioner. The Revision application filed by the Petitioner is rejected.

4 Learned Counsel appearing for the Petitioner states that the Petitioner was not party to any loan transaction nor she has given any guarantee on behalf of the husband of the Petitioner.

5 Learned Counsel appearing for the Respondent No.5 invited my attention to the order dated 15.02.2007 passed by the learned Civil Judge Senior Division, Ichalkaranji below Exh. 5 in Regular Civil Suit No. 250 of 2006 filed by the Petitioner *inter alia* claiming for various reliefs in respect of the property in question. The Petitioner had applied for a declaration that the suit property was self acquired property of her father-in-law. The learned Civil Judge Senior Division has made various prima facie observations in the said application under Exh.5 and same is rejected. The Petitioner has not filed any Appeal against the said order.

6 In my view, the Petitioner has not made out any case for interference with the impugned order passed by the Authorities below. It is however, made clear that if the Petitioner succeeds in her Civil Suit, the Petitioner would be entitled to apply for recording her name in the mutation entry.

7 Hearing of Regular Civil Suit No. 250 of 2006 filed by the Petitioner is expedited.

8 Writ Petition is dismissed with aforesaid clarification. No order as to costs.

(R.D. DHANUKA, J.)