

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4351 OF 2018**

Shri Abhimanyu Atmaram Bhoir & anr. ..Petitioners.

V/s.

Bayer Cropscience Ltd. & ors. ..Respondents.

WITH

WRIT PETITION NO. 4608 OF 2018

Shri Abhimanyu Atmaram Bhoir & anr. ..Petitioners.

V/s.

The State of Maharashtra & ors. ..Respondents.

Mr. Kishor S. Patil, advocate for petitioners.

Mr. P.S. Dani, Sr. Counsel a/w. Mr. Saket Mane a/w. Mr. Vishesh Kallra
I/b. Vidhi Partners, advocate for respondent No. 1 in WP 4351/2018.

Mr. S.. Karandikar a/w Mr. Makrand B. Sawant, advocate for respondent
No. 2 in WP 4351/2018 and for respondent No. 4 in WP 4608/2018.

Mr. S.D. Rayrikar, AGP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : FEBRUARY 12, 2019.

P. C. :

1 Heard the respective parties. Being aggrieved by the order dated 1/4/2017 passed by the Minister, Revenue and Forest Department, the petitioners herein have filed present petition under Article 227 of the Constitution of India.

2 It appears from the record and the contention raised by the respective parties that the petitioners have challenged the mutation

Talwalkar

entries No. 3862 dated 21/7/2014. It is a matter of record that the petitioners herein have filed R.C.C. No. 776 of 2014 in 2014 seeking the relief of the cancellation of sale deed, by which respondent No. 1 had claimed to have purchased the property. Needless to say that the title to the said property would be decided by the Civil Court and hence, it would not be sufficient to challenge the mutation entry. The mutation entry is carried on the basis of the sale deed, which is subjudiced before the Civil Court. Hence, the prayers in the petitions would become infructuous. The petitions stand disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]