

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

WRIT PETITION NO.9828 OF 2019

Smt. Laxmibai Janardhan Munde and ors.... Petitioners

V/s.

Mr.Narhari Vitthal Patil

... Respondent

Mr.Vijaykumar B. Dighe for the Petitioners.

CORAM : UJJAL BHUYAN, J.

DATE : OCTOBER 11, 2019.

P.C.:-

1. Heard Mr.Vijaykumar Dighe, learned counsel for the petitioners.

2. This petition challenges two orders; first order dated 4th May, 2017 passed by the Sub-Divisional Officer, Panvel and the second by the Learned President, Maharashtra Revenue Tribunal, Mumbai dated 25th March, 2019.

3. Matter relates to mutation entry in respect of the

land in question in favour of the respondent. This was questioned by the petitioners before the Sub-Divisional Officer, Panvel. However, Sub-Divisional Officer noticed that there was delay of about 31 years in raising the objection. Accordingly, the challenge was rejected by the Sub-Divisional Officer on the ground of delay and laches by refusing to condone the delay.

4. Thereafter, petitioners preferred revision application before the Maharashtra Revenue Tribunal.

5. By the impugned order dated 25th March, 2019 Maharashtra Revenue Tribunal came to the conclusion that Sub-Divisional Officer was justified in refusing to condone the delay of 31 years. Accordingly, revision application was dismissed.

6. After hearing learned counsel for the petitioners and on considering the materials on record, this court does not find any error or infirmity in the view taken by the Maharashtra Revenue Tribunal. Further, the

mutation entries neither establish title nor extinguish title. At best, those can only be used for fiscal purposes. If the petitioners have any claim to title or possession over the land in question, it is open to the petitioners to approach the competent Civil Court in accordance with law.

7. In the circumstances, no case for interference is made out.

8. Writ Petition is dismissed.

(UJJAL BHUYAN, J.)

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