

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 283 OF 2019

...  
 Shaikh Abdul Kadar Khajasahab And 7 Ors. ....Petitioners  
 V/S  
 Raigadh Niketan Co-op. Hsg. Soc. Ltd. And 11  
 Ors. ...Respondent

...  
 Mr.Subradeep with Ms.Aneeta Vasavani for the Petitioners.  
 Mr.Sanjay Jain with Adv.Deepa Bisht i/b Kausar Banatwala for Respondent  
 No.1.  
 Mr.Karl Tamboly a/w Mr.Chirag i/b Tushar Garodia for Respondents Nos.6  
 to 9.  
 Mr.Sukanta Karmakar, AGP for the State.

...

**CORAM : A.A. SAYED &****SMT. ANUJA PRABHUDESSAI, JJ.****DATED : 4 DECEMBER 2019****P.C.:**

The grievance of the Petitioners is in respect of the Mutation Entry pertaining to the subject property. There are concurrent findings of atleast three Authorities i.e. District Superintendent of Land Record, Deputy Director of Land Record and the Minister, Revenue & Forest Department, declining reliefs to the Petitioners. The Petitioners rely upon a Conveyance dated 13-04-2000, whereas the Respondent No.1-Society relies upon a

Conveyance dated 13-02-1989. Both claim that the Conveyance of the other is bad. There are disputed questions of facts involved,. The Petitioners have already filed a title suit in respect of the subject property in the year 2017. This is not stated in the Writ Petition. It is a settled position of law that the mutation entries do not confer any title.

3. For the aforesaid reasons, we are not inclined to exercise the extraordinary writ jurisdiction of this Court and entertain the Petition. Needless to say that in the event the Petitioners succeed in the suit, they would be entitled to bring their names in the revenue records in accordance with law. It would be open to the Petitioners to seek appropriate protective reliefs in the suit and this order shall not come in their way.

4. The Petition is accordingly dismissed.

**(ANUJA PRABHUDESSAI,J.)**

**(A.A.SAYED, J.)**