

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

WRIT PETITION NO. 2571 OF 2020

HARIBHAU PANDURANG SHINDE
VERSUS
CHANDRAKANT PANDURANG SHINDE AND OTHERS

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Advocate for the Petitioners : Shri S. A. Wakure
Advocate for Respondent No. 1 : Shri H.D. Deshmukh

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CORAM : RAVINDRA V. GHUGE, J.
DATED : 11th MARCH, 2020

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PER COURT :

1. The Petitioner is aggrieved by the order dated 04/09/2019 passed by the Honourable Minister, vide which, the revision preferred by Respondent No.1 has been allowed. The order of the Additional Commissioner, Aurangabad dated 14/03/2019 has been quashed and the mutation entry No. 5893 has been set aside.

2. There is no dispute that Regular Civil Suit No. 438/2016 is preferred by the family members of these litigating parties for seeking partition and separate possession. The issue of an earlier compromise decree dated 13/12/1991 is also a subject matter of

the pending suit.

3. This Court has crystalized the law in ***Shrikant R. Sankanwar and Ors. vs Krishna Balu Naukudkar, 2003 (3) Bom CR 45***, that mutation entries are only for taxation purposes and they do not decide the right or title of any litigant in connection with the property. A decree of the Civil Court deciding the right and title of the litigating parties would bind the Revenue Authorities and the mutation entries would, therefore, be governed by such a decree.

4. Since the issue of the right and title of this litigating parties is subject matter of the pending Regular Civil Suit No. 438/2016, this petition is disposed off. As observed by the Honourable Minister, the mutation entries as standing today would be subject to the result of the suit and the parties would, therefore, maintain *status-quo* in respect thereof, till the decision in the Civil Litigation.

(RAVINDRA V. GHUGE, J.)

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