IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7200 OF 2018

Chatrapati P. Mirgule ..Petitioner
Vs.
Sachin S. Mirgule & Ors. ..Respondents

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Mr. Suryajeet P. Chavan, Advocate for Petitioner.
Mr. B. R. Patil, Advocate for Respondent Nos.1 and 2.
Ms. V. S. Nimbalkar, AGP for Respondent Nos.3 to 8 / State.

CORAM : C.V. BHADANG, J.
DATE : 12th FEBRUARY, 2020

P.C.

. The challenge in this petition is to the refusal of the Revenue Authorities to enter the name of the petitioner in the revenue record of the subject properties. Prima facie, it appears that the certificate under Section 32 (M) of the Bombay Tenancy and Agricultural Lands Act, 1948 was issued in the year 1974 in the name of the brother of the petitioner. Learned counsel for the petitioner submitted that the said brother of the petitioner who is now deceased was aged seven years on the Tillers day. He further submits that the certificate under Section 32(M) of the Act was issued in the name of the brother of the petitioner as a Karta of the Hindu Undivided Family (HUF).

2. The certificate which is produced across the bar by the learned counsel for the private respondents does not show that the

certificate is issued in the name of the deceased brother of the petitioner as a Karta of the HUF.

3. Be that as it may, admittedly, a civil suit bearing RCS No.14/2018 filed by the petitioner is pending before the competent Civil Court. It is now well settled that the revenue entries by themselves can neither create nor extinguish nor can conclude the civil rights of the parties and the revenue authorities will have to abide by the decision of the Civil Court in this regard. For the present, no case for interference is made out. Thus, the revenue entries shall be subject to the outcome of the civil suit. Subject to this, the petition is disposed of with no order as to costs.

C.V. BHADANG, J.