

DDR

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

**WRIT PETITION NO. 11363 OF 2014
WITH
INTERIM APPLICATION NO.540 OF 2020
IN
WRIT PETITION NO. 11363 OF 2014**

SHRI MAHADEO VITTHAL SURVASE & ANR. .. PETITIONERS
VS.

VISHNU JAGANNATH SURVASE & ANR. .. RESPONDENTS

Mr. S.T. Bhosale for the petitioners.

CORAM : M.S.KARNIK, J.

DATE : MARCH 19, 2021

P.C.:-

Heard learned counsel for the petitioners.

2. The order under challenge is passed by the Additional Commissioner, Pune, allowing the revision filed by the respondent No.1 under Section 257 of the Maharashtra Land Revenue Code, 1966 (hereinafter referred to as "the Code" for short). The impugned order arises out of a dispute regarding mutation entries made in the revenue records. Learned counsel submits that the petitioners are the owners of the suit property by virtue of the sale documents executed in their favour. The respondents have filed Regular Civil Suit No.480 of 2012 before the Civil Judge, Junior Division, Madha. The suit is filed for declaration and injunction.

3. It is well settled that the mutation entries do not establish the right, title and interest of the parties in the suit property and they are recorded only for the fiscal purposes. The suit is pending. The mutation entries will obviously be subject to the orders passed by the competent Civil Court in the pending suit or the civil proceedings that may be instituted by the parties to establish their right, title and interest in the suit property.

4. In this view of the matter, I do not find any reasons to interfere with the impugned order. The Writ Petition is disposed.

5. In view of the disposal of the Writ Petition, nothing survives for consideration in Interim Application. The same is disposed of.

Diksha
Rane

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(M.S.KARNIK, J.)