

Bhogale

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

WRIT PETITION NO.9272 OF 2018

Mahesh Ramji Patel & ors. .. Petitioners

vs.

Vilashni Mahadev Jhaveri (since deceased)
Through L.Rs. & ors. .. Respondents

Mr. Raju D. Suryawanshi for the Petitioners.

Mr. Sunil G. Karandikar for the Respondent No.8

Mr. P.V. Nelson Rajan, AGP for the State/Respondent Nos.9 to 12.

CORAM : M.S.KARNIK, J.

DATE : MARCH 10, 2021

P.C.

Heard learned counsel for the parties.

2. The papers are not placed before me. Learned counsel for the Petitioners has tendered a copy of the Petition. If the papers are not traced, the Writ Petition to be reconstructed on the basis of the copy tendered.

3. In view of the settled position that mutation entries do not create right, title and interest in the suit property in respect of any of the parties and that right, title and interest in the suit property is to be decided by the competent Civil Court, learned counsel for the Petitioner seeks leave to withdraw this Petition on instructions with liberty to file appropriate proceedings in the Civil Court. Needless to mention that the mutation entries would be governed by the final outcome of the Civil Court.

4. Keeping all contentions open, the Writ Petition stands withdrawn.

(M.S.KARNIK, J.)

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