

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.4806 OF 2021

Kawdu Ramrao Mankar

Vs.

Vinayak Pandurang Mankar and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. B. Bargat, Advocate for petitioner.
Ms. N. P. Mehta, AGP for respondent Nos.3 to 6.

CORAM : AVINASH G. GHAROTE, J.

DATE : 29/11/2021

Heard Mr. Bargat, learned counsel for the petitioner, who challenges the order dated 17.02.2021 passed by the learned respondent No.3, upsetting the earlier order regarding entry in the revenue records. He contends that there is limited scope in revision and the learned respondent No.3 has transgressed the same. Without going into the merits of the matter, as the entry in the revenue record, is merely for the fiscal purposes and confers no title upon the person, in whose favour it has been made and considering the fact that the dispute regarding the entitlement between parties hereto is already the subject matter of RCS No.1619 of 2019 and Special Civil Suit No. 82 of 2020 both pending before the Civil Judge Senior Division, Nagpur, it would be appropriate that the claim would be decided by the civil Courts, as it is the settled position that the judgment of the civil Court is binding upon the revenue Authorities

and would equally bind the petitioner and respondents in this regard. I, therefore, do not feel it necessary to interfere in the impugned order for the above reason.

2. Needless to say that the appropriate revenue authority shall take entry in the 7/12 extract of the properties in question regarding the pendency of RCS No. 1619 of 2019 and Special Civil Suit No.82 of 2020.

3. The petition is accordingly dismissed. No costs.

JUDGE

Sarkate