

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

**WRIT PETITION NO.4803 OF 2021**

Nilesh Shrawan Duryodhan and others  
Vs.

State of Maharashtra through Hon'ble Minister (Revenue) Mumbai 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. A. A. Dhawas, Advocate for petitioners.  
Ms. T. Khan, AGP for respondent Nos.1 to 5.

**CORAM : AVINASH G. GHAROTE, J.**  
**DATE : 29/11/2021**

Heard Mr. Dhawas, learned counsel for the petitioners. The dispute is that the petitioners claimed property to be ancestral property, whereas the name of the respondent No. 6 has been directed to be recorded as the owner of the suit property, on the basis of a Will Deed dated 24.09.1985, which is denied by the petitioners. It is material to note that any entry in a revenue record is for fiscal purposes and does not have the effect of conferring or title upon the person in whose favour it has been made. Any claim in respect of the contrary allegations made by the petitioners as well as the respondent No.6, as indicated above, can only be decided by way of a comprehensive suit, which Mr. Dhawas, learned counsel for the petitioners upon instructions, states that the petitioners intend to file.

That being the position, the impugned order, which only directs the recording of the name of the

respondents No.6 in the revenue record on the basis of the Will Deed dated 24.09.1985, as indicated above, cannot be faulted with and it would be open for the petitioners, to file appropriate proceedings before the civil Court regarding the respective claims, whose decision shall be binding upon the parties. In view of what has been stated above, the petition is therefore, dismissed.

It is made clear that all pleas which are legally permissible in respect of the above claims are open and if advised, the petitioners may file an application for interim injunction, which in case, it is so filed, shall be considered by the learned Trial Court on its own merits.

**JUDGE**

*Sarkate*