

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.14827 OF 2021

**SHIVRAJ RAMRAO PATIL
VERSUS
STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

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Advocate for Petitioner : Mr. R. R. Deshmukh
AGP for Respondent Nos. 1 to 6 : Mr. R. P. Gaur

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**CORAM : C. V. BHADANG AND
SANDIPKUMAR C. MORE, JJ.**

DATED : 14 JULY 2022.

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P. C. :

This petition is entirely misconceived as it seeks a writ of prohibition against respondent Nos. 1 to 6 / revenue authorities from considering any objection of respondent No.7 with respect to mutation entry in respect of disputed lands as referred to in the prayer clause.

Writ of prohibition is also sought restraining respondent Nos.1 to 6 from deleting the effect of Mutation Entry No. 1271 dated 18 January 2019 and for a writ of mandamus directing the Tahsildar to give effect to the order passed on 24 October 2007. The learned counsel for the petitioner submitted that the dispute had gone to the civil court and had attained finality. He pointed out mutation entry at page No. 68A, which he claims to be in his favour and on the apprehension that it is

likely to be modified, this petition is filed. The learned counsel thereafter tendered a copy of the order dated 7 April 2022 passed by the Tahsildar, Udgir by which there is certain order passed in respect of Mutation Entry No. 1271 as the Sub-Divisional Officer has cancelled his order dated 7 of October 202.

2. Be that as it may, according to the learned counsel for the petitioner, the entry has already been modified / deleted, against which the petitioner has a remedy of an appeal before Sub-Divisional Officer, which is indicated in the impugned order itself. Thus, relegating the petitioner to the remedy of a statutory appeal against the impugned order, the present petition is disposed of.

SANDIPKUMAR C. MORE, J.

C. V. BHADANG, J.