

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

**WRIT PETITION NO.8817 OF 2022**

Dattatraya Kashinath Sandbhor & Anr. ..Petitioners

Versus

State of Maharashtra & Ors. ..Respondents

Mr. Rahul Kadam i/by Kisan Dhamale, for the Petitioners.

Mr. A. I. Patel, Addl. GP a/w C. D. Mali, AGP for Respondent  
Nos.1 to 5/State.

Mr. A. R. Gole, for the Respondent No.6.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : 23<sup>rd</sup> AUGUST, 2022**

**P.C.**

1. Counsel for the petitioners Mr. Rahul Kadam would urge that the sale-deed executed on 18<sup>th</sup> January, 2014 does not confer a clear title on the respondent No.6, as the entire consideration was not paid by the said respondent to the petitioners. As such, according to him, the revenue entry ought not to have been granted.

2. A prayer is opposed by Mr. A. R. Gole, counsel for the respondent No.6 and submits that in the suit already it is brought to the notice of Trial Court through written statement that the entire consideration was received by the petitioners.

3. I have appreciated the said contention.

4. The fact remains that the mutation entries are only for the fiscal purpose and do not confer any absolute right or title, as the title has to be derived from the title document. The fact about pendency of the suit from 24<sup>th</sup> April, 2018 wherein the aforesaid conveyance dated 18<sup>th</sup> January, 2014 is questioned is admitted fact on record. As such, it is always open for the petitioners to seek injunction in the said pending suit. In the aforesaid background, I hardly see any reason which warrants interference in the order impugned.

5. The petition as such fails, dismissed.

6. However, if application for injunction is moved by the petitioners, same be decided in accordance with law.

**[NITIN W. SAMBRE, J.]**