

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

WRIT PETITION NO. 9969 OF 2022

Madhu Kachharam Achra & Ors. ... Petitioners

Versus

State of Maharashtra & Ors. ... Respondents

.....

Mr.Narayan Bubna for the Petitioners.

Mr. R.S. Pawar, AGP for the State.

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**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 18 OCTOBER 2022

P.C. :

Heard the learned Counsel for the parties.

2. This petition is filed for a direction to the Respondents to forthwith mutate the property records in favour of the Petitioners.

3. The learned Counsel for the Petitioners states that pursuant to the order passed by the Division Bench of this Court in Writ Petition No. 1068 of 2021 dated 17 November 2021, a registered sale deed was executed in favour of the Petitioners and when it was tendered, no response was given and thereafter, the revenue records were changed and an endorsement was included that the property should not be transferred as it is to be allotted to a co-operative society, industrial estate and educational institute.

4. As regards reliance placed on the order passed by the Division Bench is concerned, the aspect whether the property is non-transferable for being earmarked for a co-operative society, industrial estate and educational institute had not arisen for consideration and the dispute was regarding registration of the sale deed.

5. We note that after the entry has been made, the Petitioners have not approached any authority to find out the reason thereof. No grievance seems to have been made and directly this petition has been filed. The Petitioners will have to take steps to approach the authority at first instance to seek this direction.

6. The learned Counsel for the Petitioners states that the Petitioners will apply to the concerned authority in respect of the entry made as, according to the Petitioners, in view of certain government resolutions, this entry should not have been made. If the Petitioners make an application within a period of six weeks from today, the authority will deal with the same. If the grievance of the Petitioners is found to be correct, the authority can proceed to delete the entry. If the grievance of the Petitioners is not found to be correct, the authority will give reasons, upon which the Petitioners will have their remedies open.

7. The writ petition is accordingly disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)