

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD  
WRIT PETITION NO.4849 OF 2023**

**VIJAY RUSTAMRAO NAGARE  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY  
AND OTHERS**

...

Mr. R. J. Nirmal, Advocate for the Petitioner.  
Mr. S. B. Pulkundwar, AGP for Respondents-State.

...

**CORAM : NITIN W. SAMBRE AND  
S. G. CHAPALGAONKAR, JJ.**

**DATE : 25<sup>th</sup> APRIL, 2023.**

**P.C:-**

1. Learned counsel for the petitioner seeks leave to amend the petition. Leave granted.

2. The claim of the petitioner is, his property which is referred to in the petition is his ancestral one in relation to which the compromise decree was executed in Regular Civil Suit No.8/2018. According to him, in respect of non-requirement of the registration and stamp duty in the matter of compromise decree in relation to the ancestral property, the prayer of the petitioner for mutation based on said compromise decree is not addressed till this date by the respondent-Revenue Authorities. It is claimed that in law it is not mandatory to pay stamp duty and register the same.

3. In this background, we deem it appropriate to dispose of the writ petition by directing respondent nos.2 to 4 to treat the petition of the petitioner as representation. The petitioner to

approach before the said authorities with the copy of the petition and this order on or before 2<sup>nd</sup> May, 2023. We expect the said authorities particularly Tahsildar to take decision on the aforesaid claim of the petitioner as expeditiously as possible and in any case within a period of eight weeks from the date of appearance.

**(S. G. CHAPALGAONKAR)**  
**JUDGE**

**(NITIN W. SAMBRE)**  
**JUDGE**