

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

Writ Petition (WP) No. 7730 of 2018

Devidas S/o Maroti Lonagre and others

Versus

Vijay Mahadeo Deshmukh and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri C.A.Babrekar, Advocate for the petitioners.

Shri S.S.Patkar, Advocate and Shri Deepak S. Patil

Advocate for the respondent nos. 1 & 2.

Shri H.D.Dubey, AGP for the respondent nos. 3 to 5.

CORAM : ANIL S. KILOR, J.

DATED : 3rd JULY, 2023.

This matter pertains to mutation entry carried out in respect of land in question i.e. Gat No. 758, on 10th November, 1997 on the basis of alleged lease agreement of 99 years.

2. The learned Additional Collector allowed the appeal preferred by the respondent nos. 1 and 2 on the ground that before carrying out the mutation entry no notice was served upon the persons having right, title or interest in the property.

3. Learned counsel for the petitioner has fairly states that a suit for permanent injunction was filed

before the Civil Court and it is fixed for argument. He has pointed out that the suit is in respect of land in question and it also involves the issue of lease and agreement to sale.

4. Learned counsel for the respondent nos. 1 and 2 are not disputing the fact of filing of the suit.

5. Considering the fact that the suit is fixed for final argument, at this stage, it would not be proper to give any findings on merit.

6. Accordingly, the writ petition is disposed of with liberty to the petitioner to apply for correction of mutation entry before the concern authority if he succeeds in the suit.

[ANIL S. KILOR, J.]