



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

WRIT PETITION NO.2698 OF 2020

Sau. Kusumbai Gajanan Padmane .Vs. The Divisional Commissioner, (Revenue),
Amravati Division, Amravati 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 M.V. Rai, Advocate for petitioner.

Shri S.V. Sohoni, Advocate for respondent No.5.

CORAM : ANIL S. KILOR, J.

DATED : 06/12/2023

1. Heard.
2. The present matter pertains to mutation entry in respect of land Gat No.213 stood in the name of Bhimabai from whom the petitioner purchased the said land vide sale-deed dated 01.06.1998. Admittedly, in the sale-deed, the area of land was 0.40 H.R. however, the disputed mutation entry in the name of the petitioner shows the area of land as 0.57 H.R. land i.e. 0.17 H.R. more than the area mentioned in the sale-deed.
3. No document is pointed out by the petitioner having ownership over the excess land i.e. 0.17 H.R.
4. It is the case of the petitioner that, it was purchased vide oral agreement and for 14 years, no objection was raised by anybody to the said mutation entry

and therefore, the objection to the mutation entry taken at the belated stage cannot be considered.

5. I do not find favour with the said submission for the reason that no document has been produced by the petitioner to show her ownership over 0.17 H.R. of land. Even otherwise, to prove the oral agreement and sale-deed of addition land i.e. 0.17 H.R. land, the petitioner having remedies to prove his title over the said land.

6. However, in absence of any such evidence, I do not find any error committed by the Divisional Commissioner, Amravati Division, Amravati while passing the impugned order dated 31.12.2019.

Accordingly, the writ petition is **dismissed**.

JUDGE