

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

**WRIT PETITION NO.6527 OF 2019**

(AGRICULTURAL PRODUCE MARKET COMMITTEE, BHANDARA..VS.. TAHSILDAR, BHANDARA & OTHERS)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri S.S.Paliwal, Advocate for Petitioner.  
Shri H.D.Dube, A.G.P. for Respondent Nos. 1 to 4.  
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**CORAM : ANIL S. KILOR, J.**

**DATED : JUNE 21, 2023.**

1. Heard.
2. The present matter pertains to taking mutation entry in the name of the petitioner-Agricultural Produce Market Committee (APMC) as occupier of the land in question.
3. In reply, the Deputy Collector (Revenue), Bhandara on affidavit dated 28/09/2020 has stated thus:

*“5. It is the prayer of the petitioner that, it should be declared as an occupier and not as an owner. The answering respondent do not have any objection in respect to take entry of the petitioner committee as an occupier, however the petitioner shall undertake before this Hon’ble Court and before the Revenue Authorities that it shall not claim as owner on the basis of the said entry in future. The petitioner shall also undertake that it would not sublet, sale, gift or otherwise dispose of the said property without obtaining prior permission from the Revenue Department.”*

4. In pursuance to the above referred paragraph No.5 of the affidavit of the Deputy Collector, the petitioner-APMC has filed affidavit dated 02/05/2023 giving an undertaking, as sought by the Deputy Collector.

5. In that view of the matter, I pass the following order:

- i) The petition is disposed of.
- ii) The Deputy Collector is directed to enter the name of the petitioner-APMC in the revenue record as occupier of the land in question.
- iii) The petitioner is further directed to file undertaking as filed before this Court before the Deputy Collector and the mutation entry will be subject to such an undertaking.
- iv) It is made clear that in case of any breach of the condition of undertaking in future, the Deputy Collector will be at liberty to take necessary action in the present matter.

The Writ Petition is **disposed of** in the above terms. No order as to costs.