



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 WRIT PETITION NO. 9321 OF 2024

SARFARAZ AHMED SAEED AHMED KHAUJA JAHGIRDAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH CHIEF SECRETARY
AND OTHERS

...

Mr. Deshmukh Saud Ahemad N A, Advocate for the Petitioner
Mr. B. M. Dhanure, AGP for the Respondents State

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRADE, JJ.

DATE : 2nd September, 2024

ORDER:

1. Leave to add the siblings of the Petitioner who have a right, title and interest in the Writ land, as Co-petitioners. Addition be carried out forthwith.

2. We have heard the learned Advocates for the respective sides and have perused the Petition paper book. We have also perused the judgment of the learned Single Bench of this Court dated 27.03.1978, delivered in First Appeal No. 506 of 1970. The land held by the Petitioner's ancestor was declared to be a free land and not an Inam land. The last mutation entry taken by the revenue authorities covers many of the landlords from that parcel of land, except the Petitioner.

3. With the mutation entries taken in the year 2010, the Petitioner is repeatedly praying for mutation entries to be carried out

to the extent of the land inherited by him from his father, in terms of the Mohammedan law.

4. It is beyond debate that an agricultural land has to be reflected in the 7/12 extract. Revenue entries are for fiscal purposes. The Revenue Department has to derive taxes from such land. We find it strange that the Tahsildar is not carrying out a mutation entry with regard to the land of the Petitioner. The specific lands are said to be mentioned in the representation, dated 21.06.2023.

5. In view of the above, we direct the Tahsildar, Sindhkheda, Tq. & Dist. Dhule, to follow the due procedure laid down in law and consider the representation of the Petitioner on its merits. If the Tahsildar is convinced that the properties of the Petitioner are required to be entered in the 7/12 extract, appropriate steps shall be taken within 90 days from today. With this direction, **this Writ Petition is disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan