

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.13942 OF 2024**

Motiraj Hanmantappa Vijapure and Ors. .. Petitioners  
Vs.  
State of Maharashtra,  
Through Revenue and Forest Department and Ors. .. Respondents

Mr. Ratan L. Adhe, Advocate for the Petitioners.  
Mr. A.I. Patel, Additional Government Pleader with Smt. D.S. Deshmukh,  
Assistant Government Pleader for the Respondent-State of Maharashtra.  
Mr. Abhay L. Patki, Advocate for Respondent No.5.  
Mr. Abhay Anturkar (through V.C.) with Mr. Tanaji Mhatugade, Advocates  
for Respondent Nos.12 to 17.

**CORAM : A.S. CHANDURKAR &  
RAJESH S. PATIL, JJ**

**DATE : 21<sup>ST</sup> NOVEMBER 2024.**

**[ THROUGH HYBRID HEARING ]**

**PC. :**

1. The petitioners have approached this Court with a prayer that a direction be issued to the Revenue Authorities to mutate the name of the State Government in the subject lands and also to take possession of the same. It is seen from the record that the respondent nos.12 to 17 had filed Regular Civil Suit No.99 of 2002 for seeking recovery of possession of encroached portion of the lands. That suit came to be dismissed by the Trial Court and Regular Civil Appeal No.189 of 2008 filed by them has also been dismissed. Some of the present petitioners were defendants in the said proceedings.

2. Except a private dispute between the parties, we do not find that the petitioners have locus to make a prayer for a direction to mutate the name of the State Government in the Revenue Records. We are therefore not inclined to exercise jurisdiction. It is however clarified that other remedies of the petitioners are kept open for being availed in accordance with law.

3. The writ petition is disposed of.

[ RAJESH S. PATIL, J. ]

[ A.S. CHANDURKAR, J. ]