



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1354 OF 2024

Master Jeet Hitesh Bangari

... Petitioner

Versus

State of Maharashtra , Revenue and Forest Dept. &
Ors.

... Respondents

Mr. P.B. Shah a/w. Mr. K.P. Shah i/b. Mr. Aditya D. Gurav for the
petitioner.

Ms.P.J. Gavhane, AGP for the State.

CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 31 January, 2024

P.C.

1. This petition is filed seeking the following reliefs:

“1. That this Hon’ble Court be pleased to issue a writ declaration or writ in the nature of declaration or any other appropriate writ direction or order under Constitution of India and declaration that the agreement to sale bearing no. 6630/2015, 6634/2015, 6639/2015, 6636/2015, 6637/2015, 6641/2015, 6640/2015, 6635/2015, 6632/2015, 6631/2015, all dated 27/06/2015 along with Agreement to Sale bearing no. 6763/2015, 6762/2015, 6752/2015, 6760/2015, 6759/2015, 6754/2015, 6753/2015 all dated 29/06/2015 in the Sub-Registrar office Haveli No. 22 executed by respondent nos. 3 and 4 in favour of respondent nos. 5, 6 and 7 are illegal, null and void ab initio.

2. That this Hon’ble Court be pleased to direct respondent no. 2 to take legal action against respondent nos. 3, 5, 6, and 7 as per section 82 of the Indian Registration Act, 1908.

3. That this Hon’ble Court be pleased to direct respondent nos. 5, 6 and 7 to submit or deposit all the 17 original Agreement to sale in the Hon’ble Court.

4. That this Hon’ble Court be pleased to direct respondent nos. 3, 5, 6 and 7 to be owner in possession of the same is illegal, incorrect, against facts, null and void.

5. That this Hon'ble Court issue writ of mandamus and declaration that documents registered are null and void ab-initio as all agreement without payment of consideration.

6. Pending the hearing and final disposal of this writ petition, restrain respondent nos. 5, 6 and 7 to transfer the said flats to third party till the disposal of this petition."

2. Having heard the learned counsel for the petitioner and considering the nature of the reliefs sought in this petition, we are not inclined to entertain this petition. This petition involves disputes between private parties and also involves adjudication of disputed questions of fact. The appropriate remedy for the petitioner would be to file a Civil Suit. Further, if the petitioner has any grievance with regard to registration of any documents, the petitioner is at liberty to raise that grievance before the appropriate registering authority.

3. We, accordingly, dispose of this petition keeping open all the rival contentions of the parties.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)