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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2991 OF 2017

Shri Bhalchandra Raghunath Sule and Others … Petitioners

Vs.

Sau. Sharada Krishna Chimne and Others … Respondents

Mr. Sumit Kothari for the Petitioners.
Mr. S. L. Babar, AGP for the State.

CORAM : GAURI GODSE, J.
DATE : 5th JANUARY 2024

P.C.

1. Heard. This petition takes exception to the orders of the Revenue Authorities dismissing the petitioners' application for recording their names as owners in the revenue record with respect to the subject property.

2. Perused the papers. A perusal of the papers show that the petitioners' claim for recording their names is based on an unregistered gift deed. A perusal of the record indicates that the

petitioners' had filed a civil suit for declaration of their title. However, the said suit was dismissed, and the First Appeal challenging the dismissal of the suit was also dismissed. Admittedly, the petitioners' have not filed any further appeal. Hence, the dismissal of the petitioners' suit for declaration of the title to the subject property has attained finality.

3. The Revenue Authorities have correctly dismissed the petitioners' claim on the ground that the civil court has already rejected the petitioners' claim to the title of the suit property based on an unregistered gift deed.

4. Learned counsel for the petitioners submits that the appeal filed before the DLIR was filed with the application for delay condonation. However, the DLIR, instead of examining the application for delay condonation, dismissed the application on merits. He submitted that the authorities ought to have correctly examined the petitioners' claim, which was based on title.

5. Upon perusal of the impugned orders, I do not find any illegality or infirmity in the reasons recorded by the authorities. I do not see any

reason to exercise jurisdiction under Article 227 of the Constitution of India to interfere with the impugned orders.

6. There is no merit in the petition. The petition is dismissed.

[GAURI GODSE, J.]