

AGK

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

WRIT PETITION NO.13293 OF 2022

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Satyabhama Bai Raghunath Kutye
deceased through heirs & LR.s.

... Petitioner

V/s.

Daulat Bhikaji Jadhav & Ors.

... Respondents

Mr. Anilkumar K. Patil for the petitioner.

Mr. Sanjay D. Rayrikar, AGP for respondent Nos.7 to 9.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 21, 2024

RC.:

1. The writ petition arises out of proceedings initiated under Sections 149 and 150 of the Maharashtra Land Revenue Code, 1966. It is well settled that the nature of proceedings under Section 149 of the Code are for fiscal purposes and do not affect substantive rights of the parties. The remedy of the aggrieved person is to file civil suit and get their rights adjudicated. It is the judgment of the Civil Court which will affect the substantive rights of the parties and would conclusively decide their rights over the immovable property.

2. Since the rights adjudicated by the Revenue Authorities are only for the purposes of collection of tax revenue, no interference extraordinary constitutional jurisdiction of this Court is called for.

3. It is made clear that the parties shall be bound by the decision of the Civil Court.

4. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)