

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10243 OF 2024

Vinod Kishan Baney

.. Petitioner

Vs.

State of Maharashtra
Through Revenue Department
and Others

.. Respondents

Mr. Abhishek Salian a/w Mr. Mayuresh Ingale, Mr. Venkatesh Shinde,
Advocates for the petitioner.

Mr. B.V. Samant, Additional Government Pleader a/w Mr. N.K. Rajpurohit,
Assistant Government Pleader for the respondent-State.

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

DATE : 9TH DECEMBER 2024.

PC. :

1] The learned counsel for the petitioner by inviting attention to the Index-II Entry with regard to Gat No.422 admeasuring 1 Hectare 06 Ares, Mouje Ambethan, Taluka Khed, District Pune submits that the aforesaid land has been purchased on 02/05/2011. The petitioner made an application seeking measurement of the land on 31/01/2024. This application has been rejected by respondent no.3 on the ground that the petitioner's name is not shown in the 7 X 12 Extract.

2] Prima facie with the title having passed in favour of the petitioner by virtue of the Index-II Entry registered on 02/05/2011, it would be necessary to consider whether name of the owner is required to be recorded in the 7 X 12 Extract before request for measurement of the said land can be entertained. The learned Assistant Government Pleader to file

a specific affidavit in this regard indicating necessity of having the name of the owner entered in the 7 X 12 Extract before measurement of the land is carried out. To enable such affidavit-in-reply to be placed on record, list under the caption “For directions” on 16/01/2025.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]