

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12780 OF 2024.

Babita Subhash Nelage And Ors

...Petitioners.

Versus

Chhaya Shivajirao Kadam And Ors

...Respondents.

AND

WRIT PETITION NO. 15716 OF 2024.

Babita Subhash Nelage And Ors

...Petitioners.

Versus

Shobha Kishor Kadam And Ors

...Respondents.

*Mr. A. Y. Sakhare Senior Advocate. i/by Mr. Vivek Vijay Salunke for the
Petitioner.*

Mr. Sachit Bhogle AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : December 9, 2024.

P. C. :

1. Heard.

2. The present Petition arises out of the order dated 16th July 2024, passed by the Revenue Minister dismissing the Revision Application filed by the Petitioners. Briefly stated the facts are that pursuant to a sale deed dated 20th January 1994, the Petitioner purchased the subject property from Respondent Nos. 16 and 18 which was lodged for registration however came to be registered on 8th

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December 2001, and in the meantime the original owners executed registered sale deed in respect of Respondent No. 1 on 17th October 1996.

3. The contention of Mr. Sakhare, learned Senior Advocate is that the revenue authorities have held that the sale deed of Respondent No. 1 is required to be confirmed whereas the settled position in law is that his sale deed being executed on 28th January 1994, though the registration is on 8th December 2001, the registration will relate back to the execution of the sale deed.

4. Issue notice to the Respondent No. 1 who is Contesting Respondent, returnable on **20th January, 2025**. In addition to Court notice, advocate for the Petitioner to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date. Learned AGP waives notice for Respondent Nos. 19 to 24.

[Sharmila U. Deshmukh, J.]