



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**WRIT PETITION NO.6761/2023**

Omprakash Laxman Komawar and others

Vs.

The State of Maharashtra, thr. Collector, Yavatmal and others

-----  
Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
-----

Court's or Judge's orders

-----  
Shri A.S. Deshpande, Advocate for petitioners  
Shri V.A. Thakare, AGP for respondent No.1  
Shri V.M. Kulsange, Advocate for respondent No.3  
-----

**CORAM : VINAY JOSHI AND SMT. M.S. JAWALKAR, JJ..**

**DATED : 11/07/2024**

Heard.

2. The petitioners have *inter se* executed two gift deeds and two sale deeds in respect of the lands, which they sought to mutate to the Gram Panchayat record. However, respondents shown non inclination to take entry by assigning some reasons. It is stated that someone has raised objection to record the transaction, the witnesses on the documents are concerned with the parallel transaction, as well as some unrelated reason about publication of some news has been assigned.

3. When the documents are registered with the office of Sub Registrar, it is not the domain of the Gram Panchayat authority to raise objection about the capacity of witness nor they can canvas unrelated reason like publication of news. The reason that someone has objected, for which the Gram Panchayat has to issue notices, give hearing and pass a reasoned order in either way.

4. In view of above, we direct the Gram Panchayat to decide the objection in accordance with law and pass a fresh resolution to that effect. The said exercise shall be completed within four weeks from today.
5. The petition stands disposed in above terms.

(SMT. M.S. JAWALKAR, J.)

(VINAY JOSHI, J.)

*R.S. Sahare*