



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

28 WRIT PETITION NO. 2114 OF 2025

Majid Hamid Khan Thr Its Power Of Attorney Holder Khan Sajeed Majid

VERSUS

The State Of Maharashtra Through Secretary And Others

...

Mr. Amit Arunkumar Mukhedkar, Advocate for the Petitioner.

Mr. K. N. Lokhande, AGP for Respondent-State..

CORAM : KISHORE C. SANT, J.

DATE : 25th FEBRUARY 2025

PC :-

1. Heard the learned Advocate for the petitioner and the learned AGP for Respondent-State.
2. Challenge is raised to an order dated 31st December 2024 passed by the learned Chief Secretary and Special Duty Officer, Appeals and Revisions, State of Maharashtra rejecting the revision application of the petitioner.
3. The petitioner had approached the learned Sub-Divisional Officer, Kinwat challenging the entries taken in the year 1955-56 in the name of predecessor in title of the respondent. The learned Officer recorded that

the entry is challenged after 44 years, no any reason is assigned for condonation of delay. The challenge was not raised to the basic document on the basis of which the mutation entry No.715 was taken. Against the rejection, the petitioner approached the learned Commissioner, Chhatrapati Sambhajinagar. The learned Commissioner also confirmed the reasoning of the learned Sub-Divisional Officer, Kinwat. It is specifically observed that, the appeal was filed after 44 years 4 months and 22 days. No reasons are assigned for such period of delay and rejected the appeal. Against which, the petitioner approached the learned Chief Secretary, State Government wherein revision came to be dismissed.

4. The learned Advocate for the petitioner vehemently argued that, in fact, the petitioner had given the reason that the entries were taken behind his back. There was no knowledge of such entries. It is only when his son visited the office of the Tahsildar, Kinwat on 14th March 2021, he came to know that the entries are wrongly taken in the name of respondent. Except that, there is no any other explanation offered for condonation of delay.

5. After hearing the parties and going through the orders passed by the learned Sub-Divisional Officer, learned Additional Divisional Commissioner and the Chief Secretary, this Court does not find any illegality or perversity in the impugned order. In this Court also there is no sufficient explanation coming from the petitioner about the delay. It is also asked as to whether the petitioner is in possession. The answer is that he is not in possession. This Court thus finds that the reasons assigned in the application before the learned SDO is clearly appears to be concocted. No case is made out calling for interference with the impugned order. Writ petition therefore stands dismissed. No order as to costs.

[KISHORE C. SANT, J.]