



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1405 OF 2022
WITH
CIVIL APPLICATION NO. 1345 OF 2023

Narayan Suryabhan Bhise

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. M.B. Ubale, Advocate for petitioner

Mr. P.K. Lakhotiya, A.G.P. for respondent nos.1 to 6

Mr. P.P. More, Advocate for respondent nos. 7 and 8

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CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ

DATE : 24th JULY, 2025

PER COURT :

. Heard.

2. This petition has been filed for the following reliefs :-

“(A) To quash and set aside the Mutation Entry No.981, dated 22.01.2008 taken by the Taluka Inspector of Land Records, Latur, in respect of land Survey No.95 (Gut Nos.204, 210, 206, 209 and 203) of village Pimpri (Amba), Taluka and dist. Latur, by issuing an appropriate Writ, Order or Direction, as the case may be;

(B) The Deputy Director of Land Records, Aurangabad, may kindly be directed to comply with the order passed by the Principal Secretary, and Officer on Special Duty (Appeals), Revenue and Forest Department, Government of Maharashtra, Mumbai, dated 04.05.2000 in Revision Application No.CON 4397/4503/CR-

614/97)/CR.71/99/A & R, by issuing notices and hearing all the parties concerned, and thereafter, send an appropriate proposal to the Settlement Commissioner and Director of Land Records for variations to be effected in the Consolidation Scheme under Section 32(1) of the Act, in respect of land Survey No.95 (Gut Nos.204, 210, 206, 209 and 203) of village Pimpri (Amba), Taluka and dist. Latur, by issuing an appropriate Writ, Order or Direction, as the case may be;

(C) To grant Interim Stay to the impugned Mutation Entry No.981, dated 22.01.2008 taken by the Taluka Inspector of Land Records, Latur, in respect of land Survey No.95 (Gut Nos.204, 210, 206, 209 and 203), of village Pimpri (Amba), Taluka and dist. Latur, pending the hearing and final disposal of this writ petition;”

3. Learned counsel for the petitioner submits that after the Secretary of the State Government in Revenue and Forest Department, remanded the matter to the Deputy Director of Land Records way back in 2000, the Deputy Director has not issued notice in the matter. The petitioner's vendor was party to the said proceedings. The petitioner wants directions to be given to the Deputy Director of Land Records to open up the case as directed by the Secretary concerned and after giving full opportunity to the petitioner and the concerned, pass the appropriate order.

4. Learned counsel for the petitioner also points out the communication made by the District Superintendent of Land Records, Latur dated 13th December, 2021 suggesting the entries in the revenue record were wrongly made. Learned counsel meant to say that the land record authorities

concedes that the revenue record needs to be set right, more so, in consonance with the scheme under Bombay Prevention of the Fragmentation and Consolidation of Holdings Act, 1947. The petitioner, therefore, urged for allowing the petitioner in terms of prayer clause (B).

5. Learned A.G.P. adverted our attention to the affidavit-in-reply. It has been brought to our notice that post the Secretary in Revenue and Forest Department passed the order, the Deputy Director has made necessary corrections in the revenue record. This event happened way back in 2008. The said mutation entry is now sought to be rectified by the petitioner. The petitioner was not party to the proceedings before the Secretary. It is, however admitted that the petitioner's vendor was a party to those proceedings. After about fourteen years, the petitioner has approached this Court in this writ petition. In our considered view, the petitioner has remedy elsewhere. He may either challenge the Deputy Director's order in appropriate proceedings under the Maharashtra Land Revenue Code or even under the proceedings of Bombay Prevention of the Fragmentation and Consolidation of Holdings Act, 1947. Needless to mention, if the petitioner has claimed to have title to the land which was the subject matter in the revenue proceedings, his rights will not vanish merely because of change in the revenue record. The petitioner, if so advised, may approach the Civil Court to establish his right to the property. For all the aforesaid reasons, we

are not inclined to grant the petitioner relief. Writ petition is dismissed.
Pending civil application stands disposed of accordingly.

SSD (NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)