



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

47 WRIT PETITION NO. 6035 OF 2019

VITTHAL BHIKA GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.A.S. Londhe, Advocate for the petitioner.
Mr.K.B. Jadhavar, AGP for the respondent-State.

CORAM : KISHORE C. SANT, J.
DATE : 18.03.2025

PC :-

01. Heard learned Advocate for the petitioner and learned AGP for the respondent-State. The petitioner has challenged rejection of his application in respect of correction of mutation entry dated 07.05.2002. The order rejecting his application is dated 07.12.2002. The petitioner has approached the Dy. Director of Land Records, Aurangabad seeking correction of entries in land Survey Nos. 106 and 105. It is case of the petitioner that the land in his possession is shown less than his entitlement. He prayed for correction of the entries by carrying out panchanama and measurement. He submits that accordingly on 12.11.2002 measurement was also carried out. However, his area is still shown to be less. Therefore, no order came to be passed and suddenly on 16.03.2011 he received communication from the Dy. Director of Land Records, Jalna stating that the entries are taken on the basis of consolidation scheme implemented and therefore his application cannot be entertained. He was advised to approach the Competent Authority for correction of entries in 7/12 extract. The application, thus, came to be

rejected.

02. Learned Advocate for the petitioner submits that the communication is issued on the basis of circular dated 17.03.2004. Said circular is not applicable to the case of the petitioner as his application is filed in the year 2002. He further submits that when the measurement is carried out on the basis of this application, now it is not proper to advise him to approach the Competent Authority. He thus prays for direction to decide his application on merits.

03. Learned AGP vehemently opposes the petition. He submits that the order under challenge is only a communication. Advising the petitioner to approach the proper Authority is no order as such passed. He prays for rejection of the petition.

04. This Court has seen the communication and the circular dated 17.03.2004. Same is issued on the basis of judgment of this Court holding that correction in the consolidation scheme can be sought only within 30 days. No application, thereafter, can be entertained. It is for the parties to approach the Competent Authority to get the correction done in the 7/12 extract or revenue record. The circular does not create any remedy or take away any remedy available to the petitioner. In view of this, the remedy of the petitioner is to approach the Revenue Authority for redressal of his grievance. This Court does not find any illegality in the impugned order passed by the learned Dy. Director of Land Records. It is open for the petitioner to approach the Competent Authority.

05. The writ petition is, thus, dismissed with no order as to costs. Needless to mention that the period from 07.05.2002 till today shall be excluded while considering the question of limitation before the Competent Authority.

[KISHORE C. SANT, J.]