



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.11115 OF 2025

Dashrath Narayan Kere,
Age-62 years, Occu:Agriculture,
R/o-Gawalishivra, Taluka-Gangapur,
District-Aurangabad.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through District Collector,
Aurangabad, District-Aurangabad,
- 2) The Block Development Officer,
Panchayat Samiti, Gangapur,
District-Aurangabad,
- 3) The Village Development Officer,
Village Panchayat Gawalishivra,
Taluka-Gangapur, District-Aurangabad,
- 4) Sarpanch,
Village Panchayat Gawalishivra,
Taluka-Gangapur, District-Aurangabad

...RESPONDENTS

...
Mr. Vishweshwar H. Pathade Advocate for Petitioner.
Mr. R.B. Dhaware, A.G.P. for Respondent No.1.
...

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 12th NOVEMBER, 2025

ORDER [PER SMT. VIBHA KANKANWADI, J.] :

1. Present Petition has been filed by the petitioner for direction to respondent No.2 to decide the applications/ representations filed by the petitioner dated 6th January 2025 and 16th July 2025. He also prays for direction to respondent No.3 to decide the application filed by the petitioner dated 7th February 2024 and also directions are sought against respondent Nos.2 and 3 that they should mutate the name of the petitioner to the Gram Panchayat property No.264 (New No.266) and 273 (New No.275).

2. Heard learned Advocate for the petitioner. Learned AGP waives notice for respondent No.1. There is no necessity to issue notice to respondent Nos.2 to 4.

3. The petitioner contends that initially one Dagadu Sakharam Jagdhane and Kachru Sakharam Jagdhane were the owners of the Gram Panchayat property No.264 and 273 situated at village Gawalishivra, Taluka-Gangapur, District-Aurangabad. The petitioner purchased both the properties by separate sale deeds dated 28th October 2009. His name came to be mutated to the Gram Panchayat record. However, in the year 2024, when the

petitioner visited to the office of the village panchayat, he came to know that in the year 2014, name of the State Government came to be recorded and his name has been deleted from the Gram Panchayat record as owner of the property Nos. 264 and 273. He, therefore, made those representations to the various authorities. He tried to sought the information from respondent No.3 office under Right to Information Act and it was informed that the said authority has no clue as to how the name of the State Government came to be mutated to the said properties. Hence this Petition.

4. Here, it is to be noted that the petitioner has produced on record copies of the sale deeds and Namuna No.8 for various years which shows that the properties were standing in the name of his predecessors. There is no documentary evidence to show that after the sale deeds were executed, he had filed any application to Gram Panchayat for mutating his name and that thereafter he was paying the taxes regularly. Exactly when the properties came to be mutated in the name of the petitioner, has not been stated. However, it is stated that the name of the State Government came to be mutated in the year 2014. The petitioner ought to have challenged those entries immediately

and there is no reason as to why he has not challenged it till 2024. When alternative remedy is available as regards challenge to the entries, we cannot consider the Petition for exercise of powers under Article 226 of the Constitution of India.

5. The Writ Petition stands rejected.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/NOV25