

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7132 OF 2025**

Vatsala Tukaram Kesarkar & Ors.Petitioners

Vs.

Sakharam Maruti Kesarkar & Ors.Respondents

Mr. Naveen Khaire (Through VC), for the Petitioners.

Mr. Sagar Redekar (Through VC), for the Respondent No.1.

Mr. J. P. Patil, AGP, for the Respondent Nos.2 to 6-State.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 10th DECEMBER 2025

PC.:-

1. The present Writ Petition takes exception to order dated 14th October 2024 passed by Hon'ble Minister in RTS 3824/2756/PK. 54/J-5A.

2. It is not in dispute that Respondent No.1 had instituted Regular Civil Suit No.50 of 2014 seeking relief of declaration and permanent injunction against his family members. In that suit, parties have arrived at amicable settlement. The compromise pursis has been filed and suit has been disposed of in terms of compromise pursis. In pursuance to aforesaid compromise, Respondent No.1 filed application to Revenue Authority for mutation in terms of compromise and same has been allowed and Mutation Entry No.1861 dated 21st June 2019 was certified by Circle Officer.

3. Petitioners, who were parties to compromise have raised objection relying upon Section 89A of Indian Registration Act, 1908, contending that intimation regarding compromise decree ought to have been given by Court to Registrar and parties cannot seek mutation unless such intimation is given by Court. Any mutation taken would be ineffective.

4. The learned Advocate appearing for Respondent No.1 relying upon observations of Supreme Court in case of *Ravinder Kaur Grewal & Ors. v. Manjit Kaur & Ors.*¹ submits that registration would not be required in case of family settlement. This Court finds that when Petitioners were party to settlement before Civil Court and mutation is recorded in pursuance of such settlement, there is no reason to raise technical objection to mutation. In light of law laid down by Supreme Court of India in case of *Ravinder Kaur Grewal* (supra), such objection cannot be sustained.

5. In result, there is no merits in Writ Petition. The Writ Petition stands rejected.

(S. G. CHAPALGAONKAR, J.)

1 AIR 2020 SC 3799.