

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.528 OF 2025

Ramniklal Nemichand Shah .. Petitioner

Vs.

The State of Maharashtra,
Through Revenue, Animal Husbandry,
Dairy Department and Ors. .. Respondents

Mr. Raju D. Suryawanshi, Advocate for the Petitioner.

Mr. Y.D. Patil, Assistant Government Pleader for the Respondent-State of Maharashtra.

Mr. S.B. Talekar, Advocate, i/by Talekar & Associates, for Respondent Nos.7 to 12.

**CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ**

DATE : 13TH JANUARY 2025.

PC. :

1. By this writ petition the petitioner seeks restoration of the Revenue Entries pertaining to Survey No.53 and cancellation of Mutation Entry No.2388 dated 8th September 2023. The petitioner seeks to rely upon the order dated 25th September 2023 passed in Writ Petition No.10923 of 2023 (*Ramniklal Nemichand Shah Vs. The State of Maharashtra and Ors.*) in this regard.

2. It is seen that by an order dated 19th July 2024 passed by the Hon'ble Minister for Revenue in proceedings under Section 257 of the Maharashtra Land Revenue Code, 1966, a direction has been issued to restore Mutation Entry Nos.45 and 667 with regard to Survey No.553. The

petitioner has challenged this order by filing Writ Petition No.11313 of 2024 before the learned Single Judge. Therein, by an interim order the proceedings before the Tahsildar filed under Section 32G of the Maharashtra Tenancy and Agricultural Lands Act, 1948 have been stayed.

3. An apprehension is expressed by the learned counsel for the petitioner that as some portion of the aforesaid land is being acquired for laying of high tension wires, it is likely that respondent nos.7 to 12 would make a claim for the amount of compensation by relying upon Mutation Entry No.2388.

4. We find that the order dated 19th July 2024 passed by the Hon'ble Minister is under challenge in Writ Petition No.11313 of 2024. In that writ petition, all interlocutory reliefs including a prayer with regard to release / withholding of compensation can be made. Hence, with liberty to the petitioner to take such steps as are permissible in law in the pending proceedings filed by him and by keeping all points on merits open, the writ petition is disposed of as not entertained.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]