

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5962 OF 2025

Barkya Sitaram Kherade (deceased) through his
legal heirs Vilas Barkya Kherade and others ... Petitioners

Vs.

State of Maharashtra and others ... Respondents

Mr. M. P. Mishra a/w. Mr. Salman Shaikh for Petitioners.

Mr. Vijay Kherade and Mr. Vinod Kherade, petitioners in person present.

Mr. N. C. Walimbe, Additional GP with Ms. Vaishali S. Nimbalkar, AGP for
Respondent No.1-State.

Mr. Anil B. Lawand for Respondent No.4.

CORAM : MANISH PITALE, J.
DATE : JUNE 10, 2025

P.C. :

. Heard Mr. Mishra, learned counsel for the petitioners.

2. In this case, the documents on record show that as far back as on 31.01.2024, respondent No.2 i.e. District Deputy Registrar of Co-operative Societies passed an order granting unilateral deemed conveyance. A certificate to that effect was also issued on the same date.

3. The petitioners, claiming to be the legal heirs of the original owner of the land, have brought to the notice of this Court the order dated 31.01.2025, whereby the respondent No.2 has merely stated that the petitioners herein would be at liberty to bring a stay order, till which time, the respondent No.2 would continue with the execution proceedings.

4. The issues sought to be raised in the present petition concern disputed question of fact, and therefore, this Court cannot decide the issues sought to be raised on behalf of the petitioners. Nonetheless, the

petitioners would be entitled to approach the appropriate civil court to raise their grievances.

5. Hence, the writ petition is dismissed. However, liberty is reserved for the petitioners to initiate appropriate proceedings in accordance with law.

(MANISH PITALE, J.)

Minal Parab