

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10360 OF 2025**

Anil Raoji Kamble and Ors. ... Petitioners
versus
The State of Maharashtra and Ors. ... Respondents

Mr. Niranjan Bhavake with Ms. Drishti Madhani, Ms. Krupa Hasurkar, Mr. Anurag Ramekar i/by Bhavake and Associates, for Petitioners.
Mr. M.S.Srivastava, AGP for Respondent No.1.

CORAM: N.J.JAMADAR, J.

DATE : 1 AUGUST 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 10 June 2025 passed by the Additional Chief Secretary in Revision Application No.3424/2697/Pra.Kra. 139/J-5 Pra.Kra. 551(10) 2024, whereby the revision application preferred by the Petitioner against an order passed by the Divisional Commissioner, Pune in RTS Revision Pune No.136 of 2022 dated 12 January 2024 came to be dismissed by affirming the said order which, in turn, affirmed the order passed by the second and first appellate authority.
3. The Additional Chief Secretary has adverted to mutation entry No.1738 under which the names of the predecessors in title of the of the private Respondents were entered and, vide subsequent mutation entry No.843, only the names of the predecessor in title of the Petitioners came to be mutated to

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the record of rights of the suit land.

4. Prima facie, the concurrent findings of facts by all the authorities under the Code appear sustainable. Vide mutation Entry No.1738, the names of the predecessors in title of the private Respondents were entered to the record of rights. The submission on behalf of the Petitioners that the predecessors in title of the private Respondents were never co-sharers cannot be delved into in this proceeding. The proper course for the Petitioners would be to agitate the title dispute before the Civil Court.

5. Learned Counsel for the Petitioners submits that the Petitioners would institute a Civil Suit to agitate the rights of the Petitioners. However, in the intervening period, on the basis of the impugned order, the Respondents are creating third party rights in the suit property. Therefore, limited protection be granted to the Petitioner.

6. In the event the Petitioners institute a civil suit within a period of two weeks, the Civil Court shall consider the prayer of the Petitioners for ad-interim reliefs.

7. Subject to the aforesaid direction, the Writ Petition stands dismissed.

(N.J.JAMADAR, J.)