

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 12205 OF 2025

Babu Genu Matere Through legal heirs & Ors. ...Petitioners  
Versus  
The State of Maharashtra ...Respondent

Mr. Ramchandra Wagh i/b. Narayan Rokade for the Petitioners.  
Ms. R. M. Shinde, AGP for the State.

CORAM: G. S. KULKARNI &  
AARTI SATHE, JJ.

DATE: 1<sup>st</sup> OCTOBER 2025

P.C.

1. This Petition has been filed under Article 226 of the Constitution of India praying for the following substantive reliefs, which read thus:-

- “a) Issue writ of Mandamus or any other writ, order or direction directing the Respondent to decide the RTS Revision No. 1163/2025 in a time bound manner.*
- b) Pending hearing of this writ petition, the order dated 03/06/2025 passed in RTS/Revision/Pune/465/2023 by the Ld. Addl. Commissioner Pune, Division-Pune may please be stayed.*
- c) Ad-interim in the terms of prayer clause ‘b’ may please be granted.*
- d) Any other alternative relief may please be granted in favour of the present Petitioners.”*

2. The Petitioners are primarily aggrieved by the inaction on the part of Respondent in not deciding their pending application, namely, RTS Revision No. 1163/2025 (Exhibit-A to the Petition). It is the Petitioners’ contention that the

Petitioners are the legal heirs of late Genu Govind Matere who died on 17<sup>th</sup> January 1950. Thereafter the name Sonu Genu Matere was effected in the 7/12 Extract of Survey Nos. 121/1, 121/2 along with other properties and was reflected as 'Ekatra Kutumb' Manager and mutation of the same is numbered as 2544. Thereafter partition was effected on the aforesaid survey numbers. However in the mutation entry no. 6681, instead of survey nos 121/1, Survey No. 221/1 was recorded. Further it is also the Petitioners' contention that in the old 7/12 extract of Survey Nos. 121/1 & 121/2, the name of Sonu Genu Matere is reflected, however the same is now being shown Sonu Krishna Matere which is a typographical error. The Petitioners filed an application before the learned Tehsildar, Mulshi under Section 155 of the Maharashtra Land Revenue Code, 1966 (MLRC) and on 29<sup>th</sup> November 2021, the same was allowed by the learned Tehsildar, Mulshi wherein directions were given to correct the above error.

3. The Respondent challenged the order passed by the Tehsildar, Mulshi before the Sub-Divisional Officer, Mawal, Mulshi under Section 247 of the MLRC which was dismissed. The Respondent further carried the matter before the Additional Collector, Pune by filing RTS/2/A/1299/2022 and the same was also dismissed. The Respondents further carried the matter before the Additional Commissioner, Pune by way of RTS/Revision/Pune/465/2023 which was allowed on 3<sup>rd</sup> June 2025. Being aggrieved by the order dated 3<sup>rd</sup> June 2025, the Petitioners have filed RTS Revision Application No. 1163/2025 which is pending consideration before Respondent i.e. Revenue Minister, Mantralaya, Mumbai. The Petitioners have made representations on 22<sup>nd</sup> July 2025 and 1<sup>st</sup> August 2025 to

the Respondent i.e. Revenue Minister, Mantralaya, Mumbai to give urgent hearings however the same has not been done so far and is pending before the said Respondent. This inaction on the part of said Respondent is causing grave prejudice to the Petitioner and the same needs to be taken to its logical conclusion and therefore the Respondent ought to look into and decide the application in an expeditious manner as is permissible in law.

4. In our view, considering the limited relief that the Petitioners seek in the present Petition and although there being no written opposition/reply of the Respondent and considering the nature of the orders which we propose to pass, no prejudice would be caused to the Respondent. The following order would serve the ends of justice:-

#### ORDER

- i. We direct Respondent i.e. Revenue Minister, Mantralaya, Mumbai to consider and decide the pending application, namely, RTS Revision Application No. 1163/2025, in accordance with law and as expeditiously as possible, preferably within a period of six weeks from the date this order is made available to the said Respondent by the Petitioners.
- ii. Let all the parties be heard.
- iii. All rights and contentions of the parties are expressly kept open.
- iv. The Petition is disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)