

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12790 of 2025

Mr. Rajendra Baban Sakhare & Ors.

...Petitioners

VS

State of Maharashtra and Ors..

..Respondents

Mr. Madhavi Tavanandi @ Jagruti Nimbalkar i/b. Suraj Chakor, for Petitioners.

Mr. Rohit Sakhadeo, for Respondent No.6-PMRDA.

Mr. A. I. Patel, Addl. Govt. Pleader with Ms. M. S. Bane, AGP for the State.

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

DATE: 01 OCTOBER 2025.

P.C.

1. This petition under Article 226 of the Constitution of India is filed
praying for the following substantive reliefs:

a. Issue a writ of certiorari or any other appropriate writ, order, or direction, quashing and setting aside Mutation Entry No.12071 and 12073 dated 12.09.2025, certified by Respondents, and the order dated 10.09.2025 passed by the Tahsildar as being illegal, arbitrary, and void ab initio.

b. Declare the alleged Award dated 05.11.2003 as fraudulent, non est, and inoperative in law, and direct that it shall have no effect on the Petitioners' ownership and possession of the lands bearing Survey Nos.249/1, 250/1, 250/2, and 250/3/1, situated at Mouje Hinjwadi, Taluka Mulshi, District Pune.

c. Issue a writ of mandamus or any other appropriate writ, order, or direction, directing the Respondents, particularly Respondents Nos.2, 6 and 7, to restore the revenue records of the said lands by deleting the remark of "Kasarsai Right Canal Acquisition" from the 7/12 extracts and reinstating the Petitioners' names as lawful owners in possession thereof.

d. Direct the Respondents to refrain from initiating any fresh acquisition proceedings in respect of the said lands without strictly adhering to the provisions of the Right to Fair Compensation and Transparency in land acquisition, rehabilitation and resettlement Act, 2013, or any other applicable law, including issuance of proper

notices, conducting hearings, and following due process.”

2. In our opinion, considering the prayer (a) as made, the remedy of the petitioners is to approach appropriate Government Authorities for anything to do with the mutation entry as set out in the prayers.

3. Insofar as the the petitioners’ contention that the award has lapsed, the petitioners have to take recourse to an appropriate remedy as may be available in law.

4. In this view of the matter, the petition is disposed of, permitting the petitioners to take recourse to an appropriate remedy as may be available in law. All contentions of the parties are expressly kept open.

5. Disposed of. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)