

Ajay

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

WRIT PETITION NO.15063 OF 2025

Vilas Raghunath Patil and Ors.

.. Petitioners

Versus

The State of Maharashtra and Ors.

.. Respondents

.....

- Mr. Akshay Patil a/w. Mr. Suraj N.Naik, Advocates i/by Mr. R. D. Suryawanshi for Petitioners.
- Ms. Savina R. Crasto, AGP for Respondents.

.....

CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 11, 2025.

P.C.:

1. Heard Mr. Patil, learned Advocates for Petitioners and Ms. Crasto, AGP for Respondents.

2. The rights of the Petitioners *qua* Mutation Entry No.996 in respect of the subject property stand directly affected by virtue of the impugned order which has been passed under Section 258 of the Maharashtra Land Revenue Code, 1966 (for short '**MLRC**') by invoking *suo motu* action. When such rights are affected it is incumbent upon the statutory officers whatever may be the reason to put the parties on notice. Having not put the Petitioners on notice, the Petitioners have rushed to this Court despite the fact that the said order can be appealed before the statutory Authority i.e. the First Appellate Authority.

3. One of the contention raised by Mr. Patil is that Petitioners have purchased the property by a registered sale deed pursuant to which Mutation Entry No.1334 was effected thereby annulling the previous Mutation Entry No.996. He would submit that in that view of the matter, the Petitioners ought to have been heard.

4. In the aforesaid facts and circumstances, the learned AGP is directed to take appropriate instructions and apprise the Court on the next adjourned date about the reason as to why the Sub-Divisional Officer has passed the said order *suo motu* without hearing the Petitioners after which appropriate orders will be passed.

5. Basic principle is that principles of natural justice should have been followed in the present case before disturbing the rights of the Petitioners.

6. Stand over to **18th November, 2025**. To be placed under the caption '**For Orders**'.

[MILIND N. JADHAV, J.]

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