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

**REVIEW PETITION NO. 159 OF 2025
IN
WRIT PETITION NO. 1255 OF 2024**

City & Industrial Development Corporation
of Maharashtra Ltd.

.. Petitioner

Versus

Krishna Dattu Patil and Ors.

.. Respondents

Mr. G.S. Hegde, Senior Advocate, with Ms. P.M. Bhansali, Mr. Arafat Siddique, for the Petitioner.

Mr. A.I. Patel, Addl. G.P. with Mr. V.G. Badgujar, AGP, for the Respondent-State.

Adv. Kishor Patil, with Ms. Akshada Nagral i/b Mr. Pratik Rahade, for Respondent Nos. 1 and 2.

**CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.
(In Chamber)**

DATE: SEPTEMBER 29, 2025

P. C.

1. We have condoned the delay in filing the above Review Petition by a separate order passed today. With the consent of the parties, we have taken up the above Review Petition for hearing.

2. The Review Petition has been filed seeking Review of the orders dated 11th March 2024 and 8th April 2024 in Writ Petition No. 1255 of 2024.

3. The orders under review record that in the Suit Property, the name of the Petitioners was reflected in Mutation Entry No. 72. In 1974, by Mutation Entry No. 1011, the names of the Petitioners were wrongly removed, and the name of CIDCO was inserted in relation to the Suit Property. This has been allegedly done on the ground that the Suit Property was acquired on behalf of CIDCO. In the said order, it was recorded that CIDCO has written a letter to the Petitioners saying that it has never acquired the Suit Property, and this letter of CIDCO is also on record at page No. 30 of Writ Petition No. 1255 of 2024. Further, the Tahsildar also, in his impugned report dated 22nd November 2022, though accepting that the Petitioners' ancestors were tenants and in possession of the Suit Property, conceded that the name of CIDCO was wrongly recorded by deleting the name of the Petitioners' ancestors and that CIDCO has never acquired the Suit Property. The Tahsildar was of the opinion that the name of the Petitioners could not be re-entered in the land records because the owner of the Suit Property had relinquished his rights to the Suit Property to the Government.

4. We did not find any merit in this contention and therefore directed the Government to mutate the names of the Petitioners in their capacity as tenants in respect of the Suit Property.

5. The present Review Petition has been filed by CIDCO even though it was not a party to the above Writ Petition. Despite that, in our order dated 8th April 2024, when the matter had come up on board for reporting compliance, we had clarified that the order of 11th March 2024 was passed in the absence of CIDCO who was not a party to the Writ Petition and therefore, any rights that CIDCO claims in the Suit Property will be the subject matter of separate proceedings and the order dated 11th March 2024 should not be construed to mean that we have foreclosed the rights of CIDCO, if any. Once this clarification is given by us, we fail to see how CIDCO can file the present Review Petition. If it claims any rights in the Suit Property, it has to adopt its independent separate proceedings. In fact, the Government has not filed any Review Petition alleging that what was stated in our order dated 11th March 2024 was in any way incorrect.

6. In view of the aforesaid, we find no merit in the above Review Petition and it is accordingly dismissed. No order as to costs.

7. This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on production by fax
or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B.P. COLABAWALLA, J.]