

Priya Soparkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 3852 OF 2025

Punankandiyil @ P. K. Aboobacker and ors. ...Petitioners

Versus

The State of Maharashtra and ors. ...Respondents

Mr. Aseem Naphade i/by Mr. Dilip Rai, for the Petitioners.
Ms. Usha Rahi, AGP, for the State/the Respondent No.1.
Mr. Prathamesh Waghmare, for the Respondents Nos. 2 to 8.

**CORAM: SUMAN SHYAM &
M. M. SATHAYE, JJ.**

DATED: 18th NOVEMBER, 2025.

PC:-

1. Heard Mr. Aseem Naphade, learned counsel appearing for the Petitioners, Ms. Usha Rahi, learned AGP appearing for the State/the Respondent No.1 and Mr. Prathamesh Waghmare, learned counsel appearing for the Respondents Nos.2 to 8.

2. The case of the Petitioners, as projected in the Writ Petition, in a nutshell, is to the effect that the Petitioners had purchased a plot of land from the predecessor-in-interest of the Respondents Nos.2 to 8 by means of registered deed of sale executed on 20th July, 2002. Pursuant to such purchase, the name of the Petitioners ought to have been entered in the mutation record pertaining to CTS No.6437/12/(1 to 9). However, instead of doing so, the

authority – Tahasildar City Survey Officer has erroneously recorded the name of the Petitioners with regard to CTS No.6437/4 which is a different plot of land owned by the Vendor. It is the case of the Petitioners that the error with regard to CTS No.6437/4 has since been rectified. However, the corresponding change with regard to the record pertaining to CTS No.6437/12/(1 to 9) has not been made as a result of which, the Petitioners have been compelled to approach this Court by filing the present Writ Petition.

3. It is the submission of the learned counsel for the Petitioners that due to a confusion apparently arising on account of multiple names used by one of the Vendors of the Petitioners namely Mr. Nestor Elias D'Souza (since deceased), the necessary rectifications and/or entry in the mutation record had faced undue obstacles.

4. The prayer of the Petitioners for recording their names in the mutation record CST No.6437/12/(1 to 9) has been wholeheartedly supported by the Respondents Nos.2 to 8 by filing reply.

5. Ms. Usha Rahi, learned AGP for the State submits that after due verification of the record as well as the names of the Petitioners, necessary steps for rectification of the mutation record can be carried out by the concerned authority i.e. City Survey Officer, if directions are issued by this Court.

6. After hearing the submission of the learned counsel for the parties, we are of the view that the core issue involved in this Writ Petition pertains to correction of the revenue record pertaining to CTS No.6437/12/(1 to 9). Since there is no dispute about the fact that the Petitioners had purchased the land in question from the

predecessor-in-interest of the Respondents Nos.2 to 8 by registered Deed of Conveyance executed on 20th July, 2002, hence, we do not find any justifiable ground to decline the prayer in clause (a) of the Writ Petition.

7. As such, the prayer clause (a) in the Writ Petition is hereby granted.

8. The Respondent No.1 to verify the claim of the Petitioners in the light of observations made hereinabove and carry out the necessary corrections in the mutation record, as early as possible, but not later than six months from the date of receipt of the copy of this order.

9. With the above observations, the Writ Petition stands disposed of.

(M. M. SATHAYE, J.)

(SUMAN SHYAM, J.)