



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3819 OF 2025

Jitendra S/o. Pannalal Agrawal .Vs. The State of Maharashtra and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr P. R. Agrawal, Advocate for the petitioner
Mr D. P. Thakre, Addl.GP for respondents/State

CORAM : ANIL S. KILOR AND RAJNISH R. VYAS, JJ.
DATED : SEPTEMBER 29, 2025.

Heard.

2. The petitioner, after the sale deed dated 14.02.2011, in his favour, applied for mutation which was carried out in the his name. However, while carrying out such mutation entry in Revenue Record the area of the land i.e. 111.52 Sq. Mtr. was not mentioned and therefore, the petitioner made an application to the Superintendent of Land Records to correct the record. According to him, in reply to the same, though Superintendent of Land Records said that the demand made by the petitioner is just and proper, he asked the petitioner to file an appeal.

3. The petitioner is raising a challenge to such communication dated 03.09.2024 and submits that it is the mistake of the revenue authority in not mentioning the area of the land while carrying out the mutation entry and

therefore, he is seeking correction of the entry and not any other relief.

4. On the other hand, Mr D. P. Thakare, learned Additional Government Pleader for the respondents states that as per Section 155 of the Maharashtra Land Revenue Code, 1966 (for short 'the MLR Code') such correction is permissible if the application is moved before the Collector. However, in the present matter, since the application was moved before the Superintendent of Land Records, who has no authority, such correction could not be carried out.

5. In reply, Mr P. R. Agrawal, learned counsel for the petitioner, submits that the Collector has delegated the power to the Superintendent of Land Records, which he exercised while considering the prayer of the petitioner. He, therefore, submits that the Superintendent of Land Records has every power to correct it.

6. In the light of the rival submissions and considering the above referred facts, the only issue in the present petition is about the consideration of the petitioner's prayers to mention the area of the land in question in revenue record. No doubt as per Section 155 of the MLR Code the powers are with the Collector. If this is the position, the Superintendent of Land Records would have forwarded the application of the petitioner to the Collector.

7. However, in any case, since there is no prayer for setting aside the mutation entry or the petitioner is not raising a challenge to the mutation entry, we are of the opinion that directing the petitioner to file an appeal is not justifiable.

8. In the circumstances, as suggested by the learned Additional Government Pleader, this case would lie within the scope of Section 155 of the MLR Code, we direct the Superintendent of Land Records to take decision on the request of the petitioner and if he is of the opinion that the application/prayer of the petitioner has to be considered by the Collector as per Section 155 of the MLR Code, he shall forward it to the Collector, with his view.

9. In case, such application is forwarded to the Collector, the Collector shall take decision on such application.

10. The whole exercise shall be completed within two months from the date of communication of this order by the petitioner to the Superintendent of Land Records.

Accordingly, the writ petition is **disposed of**, in the above referred terms. Pending applications, if any, also stand disposed of.

[RAJNISH R. VYAS, J]

[ANIL S. KILOR, J.]