



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

WRIT PETITION NO. 2517 OF 2020

(Vikrant S/o Dattatraya Gulve vs. State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. U.A.Chakrawarty, Advocate h/f Ms.Deepali Sapkal, Advocate for petitioner.

Mr. A.G.Mate, AGP for respondent Nos.1 to 5.

Mr. N.B.Kalwaghe, Advocate for respondent No.8.

CORAM : SIDDHESHWAR S. THOMBRE, J.

NOVEMBER 20, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The petitioner assailed the order dated 29/07/2019 passed by respondent No.1 State Government in Appeal No.253/2018 whereby the appeal filed by the present respondent Nos.6 and 7 came to be allowed.
- 3) The present petitioner contends that without conducting enquiry, the correction has been made. He further submits that the petitioner did not give an opportunity of hearing before conducting an enquiry. He further submits that it is impermissible to convert the category of the land once the Revenue record, specifically mutation entry No.153/1990 clearly shows that the land falls under the category of class-I, therefore, the respondent No.1 ought not to have allowed the appeal filed by the respondent Nos.6 and 7.
- 4) The learned counsel for the petitioner submits that this is not conversion of the land category. The land originally falls

under the category of class-1, and subsequently due to clerical mistake on the part of the revenue authorities, it was shown as class-2 category. Therefore, he submits that the correction is only rectifying the mistake, and not converting land from class-2 to class-1 category.

5) Learned Assistant Government Pleader supported the order passed by the State Government and prayed to dismiss the petition.

6) I have gone through the order passed by the State Government and the impugned order. It is necessary to consider record dated 28/07/2015, whereby Deputy Superintendent of Land Records (DSLRL) specifically stated that the land originally falls under class-1 category and that there was some clerical mistake on the part of revenue authority and same needs to be corrected. He further reported that there was no mistake in the Consolidation Scheme itself, therefore, under Section 31A of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, 1947, the clerical mistake can be corrected.

7) It is not the case that the land originally belonged to the category of class-1 and subsequently was converted into the category of class-2. The revenue record clearly depicts that land was always under the category of class-1 and because of the mistake of revenue authorities, inadvertently it was shown under the category of class-2.

8) In view thereof, I do not find any reason to interfere with the order passed by the respondent No.1. Hence, writ petition is dismissed. No order as to costs.

9) Learned counsel for the petitioner submits that he has already filed Civil Suit for specific performance, which is pending.

10) It is made clear that the findings recorded by this Court shall not come in the way of the petitioner. The Trial Court shall not be influenced by any of the observations made by the revenue authorities or by this Court, while considering the Civil Suit on merits.

(SIDDHESHWAR S. THOMBRE, J.)