



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

WRIT PETITION NO. 469 OF 2025

(Pankaj Vijayrao Kale Vs. Sub-Divisional Officer, Ralegaon & Ors.)

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

Court's or Judge's orders.

Mr. V.B. Palorkar, Counsel for the petitioner.
Mr. K.R. Lule, A.G.P. for respondent nos. 1 to 3/State.

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CORAM : ANIL L. PANSARE, J.
APRIL 17, 2025

Heard.

2] The learned Counsel for the petitioner submits that respondent no.4 has, by way of gift deed, transferred the property in favour of the petitioner, and accordingly, his name was mutated in the revenue record.

3] Respondent no.4 challenged the said order of mutation.

4] The Sub-Divisional Officer was pleased to allow the appeal preferred by respondent no.4. The mutation entry was quashed and set aside on the ground that the gift deed relied upon is an unregistered document and, therefore, cannot be acted upon.

5] The petitioner challenged the order before the Additional Collector to suffer same fate, and thereafter, before the Divisional Commissioner to again suffer same fate.

6] Thus, the authorities below have taken a consistent view, which, according to the learned A.G.P, is a correct view, that unregistered gift deed cannot be

treated as a document of conveyance and, therefore, cannot be acted upon.

7] I find substance in the submissions made by the learned A.G.P. It is well settled that unregistered gift deed is inadmissible in evidence and, therefore, cannot be acted upon. Respondent nos. 1 to 3 have correctly took note of the same.

8] There is, thus, no substance in the petition. The petition is dismissed. No costs.

(ANIL L. PANSARE, J.)

Sumit