



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

WRIT PETITION NO. 296 OF 2024

TUSHAL PRAFUL SHAH AND OTHERS

Vrs.

SHANKAR PUNJAJI BHANDALA (DEAD) THROUGH L.R. PURUSHOTTAM SHANKAR
BHANDALE AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S. A. Mohta, Advocate for petitioners.
Shri M. V. Bute, Advocate for respondent Nos.1 and 2.

CORAM: SACHIN S. DESHMUKH, J.
DATE : 21/07/2025.

1. Heard.
2. Considering the fact that the revenue entry which is recorded in the year 1981 and 1982, the petitioners approached the Sub-Divisional Officer, Akot in the year 2020.
3. The mutation entries dated 15/01/1981 vis-a-vis 02/09/1982 are recorded in favour of the present respondents raising an objection to the same, for the first time, the present petitioners have presented the proceedings on 03/03/2020. It is a matter of record that the Civil Suit No.85/1975, which was presented by the predecessor of the present petitioners for possession and damages has suffered dismissal, no challenge whatsoever is raised at any point of time. However, but for the plea that the petitioners are residents of some other States, the proceedings filed before the Sub-Divisional Officer were taken up after unexplained and inordinate delay of more than 39 years. Coupled with

the proceedings, the application for condonation of delay was presented. However, no explanation whatsoever is put-forth in that regard. The contesting sides have raised preliminary objections disclosing the fact of dismissal of civil suit, which is inordinate and unexplained delay. The Sub-Divisional Officer has rightly recorded that no reason whatsoever, is put-forth muchless to justify the respondent No.1 to condone the delay of more than 39 years.

4. Nevertheless, the principle of finality is to be considered and the attempt of petitioners appears to raise the challenge to the entries as stated above in the year 1981 and 1982, which cannot be permitted.

5. As such, no case is made out to cause interference, petition is dismissed. However, no order as to costs.

[SACHIN S. DESHMUKH, J.]