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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 WRIT PETITION NO. 116 OF 2026

Bapurao Gyanba Bhadke (Died) As Per Oral POA of the heirs of the
deceased Dilip Bapurao Bhadke

VERSUS

State Of Maharashtra Through Its Secretary And Others

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Mr. P V. Tapse Patil, Advocate for Petitioner

Mr. S.B. Pulkundwar, AGP for Respondents No.1 to 6

.....

CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 25 FEBRUARY, 2026

PER COURT :-

1. Heard the learned advocate for the petitioner. Learned AGP
waives notice for respondents No.1 to 6.

2. The present petition has been filed for the following reliefs:

“B) By issuing writ, order or directions to the respondents no 2 to 8 government authority to inquire into this case especially Mutation Entries made by the respondents no. 9 to 10C and to decide the representation submitted by the petitioner on dated 22.11.2025 and encroachment made by respondent no. 9 to 10C of the petitioner's land Gut No. 101 adm. 2 Hector 43-R situated at village Morwad Tq. Renapur District Latur, may kindly be removed by issue of writ of mandamus or any other appropriate writ, order or directions to respondents authority.

C) The respondents no.2 to 8 have also directed to make proper inquiry by appointing the Inquiry

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officer and decide the representation submitted by the petitioner on dated 22.11.2025 with immediate effect.”

3. The petitioner contends that the petitioner's father, Bapurao Gyanba Bhadke, is the owner and possessor of land bearing Gut No. 101 situated at village Morwad, Tq. Renapur, District Latur. His name appears in the 8A extract as well as in the 7/12 extract. he petitioner states that he purchased land bearing Gut No. 99 admeasuring 33 R and land bearing Gut No. 11 admeasuring 50 R from the same village for a consideration of Rs. 3,40,000/-. The petitioner further states that Bapurao Bhadke was the tenant of the said land; however, respondents No. 9 to 10C have encroached upon the said land bearing Gut No. 101 admeasuring 2 Hectares 43 R. Respondents No. 6 to 8 have entered the names of respondents No. 9 to 10C vide Mutation Entry No. 173. Therefore, according to the petitioner, respondents No. 9 to 10C have prepared forged documents. According to the petitioner, respondent No. 9 – Bankat Gyanba Bhadke has forged the signature of the petitioner's father, Bapurao, and therefore, the present petition has been filed for the aforesaid reliefs.

4. We have gone through the documents along with the petition. It can be clearly seen that the matter involves disputed questions of fact and in fact, if the civil rights of the petitioner are affected, then he is at

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liberty to file a suit or take other remedy available to him when it is stated that some wrong mutation entry has been taken. If at all, he is of the opinion that some fabrication of the record has been made, then he is at liberty to approach the police authorities. Certainly, when the disputed questions of fact are there, this cannot be taken as a fit case where we should exercise our powers under Article 226 of the Constitution of India.

5. The writ petition stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane