



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO.1638 OF 2026

Dnyaneshwar Keshavrao Kachgunde

VERSUS

The State Of Maharashtra And Others

...

Mr. Sushant Yeramwar h/f Ms. Neeta S. Joshi, Advocate for the Petitioner.
Mr. R. S. Wani, AGP for Respondents/State.

...

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 07 APRIL 2026

ORDER :

. In view of order dated 16.03.2026, respondent No.5 is present before this Court.

2. Heard learned Advocate appearing for the petitioner as well as learned AGP for respondents/State.

3. Learned AGP submits on the basis of the suit i.e. Special Civil Suit No.35 of 1969 (Haribai Ramrao Kachgunde and another Vs. Venkati Bhaguji Dhakane and others) that though it has been held that the suit lands fell to the share of one Hanmanta, the alienation by original defendant No.3 to the extent of share in the suit land pertaining to

plaintiff No.2 was invalid. The sale deed was set aside. The transfer by original defendant No.3 of her own share in favour of defendant No.1 was also held to be illegal in view of Section 22 of the Hindu Succession Act and the plaintiffs therein were held to have the right of pre-emption in respect of share of defendant No.3. Now, as regards the revenue entries are concerned, the matter appears to be of the chequered history. After the remand, the Divisional Commissioner has allowed the revision application filed by the present petitioner and set aside the order dated 29.10.2011 by Additional Collector, Ambajogai, however, according to respondent No.5, the said order is under challenge before the Hon'ble Minister. On the last occasion, the copies of five mutation entries with Exhibit-X collectively were produced and this was on the basis of earlier situation. There are still objections in respect of the mutation entries and those objections would be decided by respondent No.5 within a period of eight weeks from today.

4. Here, it is to be noted that the petitioner had not annexed the copy of the judgment in Civil Suit No.35 of 1969 decided on 19.04.1971 by the learned Civil Judge Senior Division, Beed wherein the father of the present petitioner was a party. There are other shareholders as well, and therefore, for deciding the mutation entry, each shareholder has to be heard. The matter is stated to be still pending before the Hon'ble Minister

and, therefore, we dispose of the writ petition by directing respondent No. 5 to decide the representation/further proceedings in respect of the mutation entries, taking into consideration the objections, if any, and after hearing all the stakeholders in the matter, within a period of eight weeks from today.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm