

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12816 OF 2025

Anita Laxmikant Doifode  
Poa Arun Vishnu Pawar  
Versus  
District Collector, Satara And Ors.

...Petitioner  
...Respondents

.....  
Mr. Sharad T. Bhosale a/w. Sujata Lohar, Viraj P. Dhumal, Advocate  
for petitioner.  
Mr. S. B. Kalel, AGP for respondents-State.

.....

CORAM : R.G. AVACHAT AND  
AJIT B. KADETHANKAR, JJ.

DATE : 22<sup>nd</sup> JANUARY, 2026.

P.C:

1. Heard.
2. The petitioner has prayed for the following reliefs in the petition, which read thus:

*“(a) Rule be issued and record and proceedings be called for;  
(b) This Hon'ble Court be pleased to issue the writ of mandamus or certiorari or any other appropriate writ/direction/ order in the nature of writ of mandamus or certiorari under Article 226 of the Constitution of India, 1950,  
(i) thereby direct the Respondent Nos. 1 to 6 to conduct inquiry in respect of fabricated documents submitted by the*

*Respondent No. 7 to 9 and submit report before Respondent No.1 for further action;*

*(ii) thereby direct the Respondent No.3 to implement and execute the letter/direction dated 09.10.2024 issued by Respondent No.2 in its legal sprit and submit his report accordingly;*

*(iii) thereby direct the Respondent No.6 to implement and execute the letter/direction dated 20.01.2025 issued by Respondent No.5 in its legal sprit and submit his report accordingly;*

*(c) This Hon'ble Court be pleased to quash and set aside impugned letter/order dated 08.09.2025 issued by Respondent No.3 thereby direct the Respondent No.3 to decide a fresh complaint filed by Petitioner giving her opportunity to be heard;*

*(d) This Hon'ble Court be pleased to quash and set aside impugned letter/order dated 06.03.2025 issued by Respondent No.6 thereby direct the Respondent No.6 to decide a fresh complaint filed by Petitioner giving her opportunity to be heard;*

*(c) Pending the hearing and final disposal of the present Writ Petition this Hon'ble Court be pleased to direct the Respondent Nos. 1 to 6 to hold inquiry in respect of complaint filed by Petitioner dated 24.09.2024;*

*(f) Interim/ad-interim order in terms of prayer clause (e) above be granted;*

*(g) Such other and further reliefs be granted as the nature and circumstances of the case may require.”*

3. It is the case of the petitioner that a sale deed was executed by Respondent Nos. 8 and 9 in favour of Respondent No. 7 on the basis of a forged 7/12 extract. He further submits that though the land was unirrigated, it was shown as irrigated. According to him, the concerned Sub-Registrar ought to have taken cognizance of the petitioner's complaint and initiated action under Section 82 of the

Indian Registration Act.

4. The learned Advocate for the petitioner places reliance on the judgment in ***Emperor v. Yesa Nana Didwagh***, reported in **1915 BCI (0) 116**. Paragraph No.3 of the said judgment reads thus :

*3. I agree. To my mind there is no cogent reason for not giving to the section the literal meaning of the words used, which is that, when a prosecution for an offence under the Act does come to the knowledge of a registering officer in his official capacity, then he or some one with his permission may start a prosecution. So far as it goes, the Act does not in terms prevent a prosecution from being started by a private person not in an official capacity. What it does do is to enable an official to start a prosecution in his official capacity. But for the enactment of that section I take it that the ordinary rule that any one may set the criminal law in motion would still have applied, but a prosecution for an offence under this Act, even if started by one of the officers named in Section 83 or with his permission, would still have been a prosecution not in an official capacity but in a private capacity. What the section does is to enable the officers named to use their official position for the purpose of prosecution without personal risk, and I do not think that any other interpretation of the section is justified by the words used.*

5. We have heard the learned Advocate for the petitioner at length. According to the petitioner, the respondent-vendor had earlier entered into an agreement for sale of the very same land in

favour of the petitioner, and the suit for specific performance in that regard is *sub judice*. Thereafter, the impugned transaction came to be executed. These facts, by themselves, indicate that the dispute between the parties is essentially civil in nature. Needless to mention, if any illegality is noticed by the concerned Sub-Registrar during the discharge of his statutory duties in respect of the transaction in question, appropriate action may be taken in accordance with law. For all the aforesaid reasons, we find that no case is made out for issuance of notice in the matter.

6. The writ petition is dismissed.

**[AJIT B. KADETHANKAR, J.]**

**[ R.G. AVACHAT J.]**