PURTI PRASAD PARAB
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12119 OF 2026

Kanu Manilal Thakkar and Anr. ….Petitioners

Versus

Sunil Sanghi and Ors. …Respondents

ALONGWITH
WRIT PETITION NO. 12120 OF 2026

Kanu Manilal Thakkar and Anr. ….Petitioners

Versus

Sunil Sanghi and Ors. …Respondents

Mr. Girish Godbole, Senior Counsel i/b Mr. Sumit Kothari for the Petitioners in both Writ Petitions.
Mr. Shirish Pitre a/w Mr. Amol Ghuge and Mr. Shashikant Raut i/b Mr.Gourav Shahane for Respondent Nos. 1 to 5 in WP/12119/2026.
Mr. Gourav Shahane a/w Mr. Shashikant Raut for Respondent Nos. 1 to 5 in WP/12120/2026.
Ms. Snehal S. Jadhav, AGP for Respondent – State in WP/12119/2026.
Ms. Mamta S. Srivastava, AGP for Respondent – State in WP/12120/2026.

CORAM : ARUN R. PEDNEKAR, J.

DATED : 8th OCTOBER, 2026

P.C. :

1. Heard learned Senior Counsel appearing for the Petitioners and learned Counsel appearing for the Respondents.

2. By the present Petitions, the Petitioners challenges the order passed by the Hon'ble Minister, Revenue Department in R.T.S Application No. 52 of 2025 and R.T.S Application No. 53 of 2025 both dated 21st November, 2025.

3. Learned Counsel for the Petitioners submits that the mutation entries are made on the basis of the auction sale. Learned Counsel for the Petitioners submit that the mutation entry no. 3047 and 3394 were challenged by him as he held a prior right over the suit property. He was holding the land by virtue of sale deed prior in point and before the auction sale or even the mortgage to the bank. He submits that his right over the property cannot be frustrated by merely making a mutation entry on the purchase of the said property by the Respondents.

4. It is not disputed before me that after passing of the impugned order by the Minister, a Special Civil Suit No. 241 of 2026 is filed before the Civil Judge, Senior Division, Panvel for declaration and injunction reliefs of the Petitioners right over the suit property. He submits that the right of the Petitioners qua the subject property will be determined by the Civil Court. The mutation entries made presently bearing no. 3047 and 3394 will be subject to the outcome of the Special Civil Suit filed before the Civil Judge, Senior Division, Panvel.

5. It is a settled law that the orders of the Civil Court would bind the revenue authorities and in the event the Petitioners succeeds before the Civil Court in the Special Civil Suit No. 241 of 2026, he would be entitled to seek a rectification of the mutation entry based on the decree or order passed by the Civil Court. If such an order is passed in favour of the

Petitioners, the revenue authority would be bound by the same and rectification application be entertained at the instance of the Petitioners.

6. With the above observations, both the Petitions stand disposed of.

7. All contentions of the parties are kept open.

(ARUN R. PEDNEKAR, J.)