

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13217 OF 2025

Radhabai Sukdev Bendkoli

.. Petitioner

Versus

The State of Maharashtra and Ors.

.. Respondents

WITH

WRIT PETITION NO. 38 OF 2026

Latabai Sakharam Gumbade and Ors.

.. Petitioner

Versus

The State of Maharashtra and Ors.

.. Respondents

.....

- Mr. Girish Nagori, Advocate for Petitioner in Writ Petition No.13217 of 2025.
- Mr. Suraj Naik, Advocate i/by Roshan Hule for Petitioner in Writ Petition No.38 of 2026.
- Mr. Vivek M. Punjabi a/w. Mr. P.R. Jain, Advocates i/by Parichehr Zaiwalla for Respondent Nos.3 to 6.
- Ms. Savina Crasto, AGP for Respondent – State in Writ Petition No.13217 of 2025.
- Ms. Mamta Srivastava, AGP for Respondent – State in Writ Petition No.38 of 2026.

.....

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 03, 2026.

P.C.:

1. Heard Mr. Nagori, learned Advocate for Petitioner in Writ Petition No.13217 of 2025; Mr. Naik, learned Advocate for Petitioner in Writ Petition No.38 of 2026; Mr. Punjabi, learned for Respondent Nos.3 to 6; Ms. Crasto, learned AGP for Respondent – State in Writ Petition No.13217 of 2025 and Ms. Srivastava, learned AGP for Respondent – State in Writ Petition No.38 of 2026.

2. Though the order dated 12.01.2026 is passed by this Court in Writ Petition No.38 of 2026, the *lis* between the parties is very parochial and the Petitions can be disposed of by the present order.

3. Mr. Punjabi, learned Advocate for private Respondents candidly inform the Court that the delay in filing the Statutory Appeal before the Maharashtra Revenue Tribunal (for short '**MRT**') is of 24 – 25 days only which admittedly has not been condoned since the Application seeking condonation of delay and the Statutory Appeal were filed together. He would admit to the above while the impugned order is passed.

4. Mr. Naik, on the other hand makes a grievance that by virtue of the impugned order, Mutation Entry has been reversed which is detriment to the prospects of the Petitioners. In this regard, there have been several rounds of litigation between the parties *qua* the subject Mutation Entry. Hence in order to ameliorate the grievance of the Petitioners before me, it would be appropriate if direction given to the concerned State functionaries and Statutory Officers that they will not deal with the Mutation Entry as it is existing as on date on the basis of the impugned order and it shall be subject to the order that will be passed by the MRT in the three pending Statutory Appeal Nos.391, 392 and 393 of 2025. Out of the three challenges in the three Appeals, only two Writ Petitions are filed before me, but it is directed that all three

aforesaid pending Appeals will be decided by the MRT within a period of four weeks from today.

5. Needless to state that the delay of 24 – 25 days in filing the Appeals stands condoned by the Court.

6. MRT is directed to hear all three Statutory Appeals finally and strictly in accordance with law and after hearing both sides pass a reasoned speaking order.

7. All contentions of Petitioners as well as private Respondents are expressly kept open.

8. The Mutation Entry which has been carried out in the Revenue Record will not be acted upon in the meanwhile by the concerned Statutory officers or the parties. Ms. Srivastava, learned AGP shall ensure that the State officers are informed of this order.

9. Needless to state that subject to the orders passed by the MRT in the Appeals, parties will be free to apply to the Statutory Officer for effecting appropriate Mutation in accordance with law.

10. All parties to act on a server copy of this order.

11. With the above directions, both Writ Petition Nos.13217 of 2025 and 38 of 2026 are disposed.

[MILIND N. JADHAV, J.]

Ajay

AJAY
TRAMBAK
UGALMUGALE
Digitally signed by
AJAY TRAMBAK
UGALMUGALE
Date: 2026.02.04
15:21:16 +0530