

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1269 OF 2024

Shabbir Abbas Mithaiwala

... Petitioner

Versus

State of maharashtra

... Respondents

Mr. Kaustubh Patil a/w. Adv. Dixit Parmar for the Petitioner.
Smt. Nazia Sheikh, AGP for the Respondent Nos.1 & 2-State.

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.
DATED : 8th JANUARY, 2026.

P.C. :

1. We have heard learned counsel for the Petitioner.
2. Learned AGP requested for some time. It is submitted by learned counsel for the Petitioner that the necessary entries are not effected in the revenue record only because there was charge on the property. The Petitioner has purchased property by a registered sale deed. It may not be necessary to keep the matter pending. It is submitted by the learned counsel for the Petitioner that consequent to the decree of the City Civil Court dated 21st March, 2025, a copy of which is placed on record, it is seen that the matter has been settled and the suit is disposed of in terms of Consent Terms. Paragraph No.6 of the Consent Terms records thus:-

“6. The Plaintiffs and Defendants agree, acknowledge and confirm that the Defendants have no right title or interest to the suit property or any part or portion thereof and the charge created under the Consent Decree 15.1.1960 has been fully satisfied and the decretal amount has been paid to the said Fida Hussein Jafferji Daulta @ Daulat.”

3. It is therefore open for the Petitioner to bring all these facts including decree of the competent Civil Court to the notice of the Superintendent of Land Records-Respondent No.2 by way of an application. If such an application is made and if there is no legal impediment, the necessary action be taken for entering the name of the Petitioner in the revenue record within a period of 4 weeks from the date of the application.

4. With such aforesaid observations, the Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)