



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.3016/2026

(SHANTABAI RAMNATH GURNULE (DEAD) THR. LR's PRAMOD RAMNATH GURNULE &
ANOTHER **VERSUS** PRADEEP GANGADHARRAO BIREWAR & OTHERS)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri S.V. Sohoni, counsel for the petitioners.

Ms P.T. Joshi, Assistant Government Pleader for the respondent nos.2 to 4.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : APRIL 15, 2026

Heard the learned counsel for the parties.

2. By this petition, the petitioners have challenged the order dated 14.01.2026 passed by the Additional Chief Secretary of the Government of Maharashtra.

3. The controversy in the instant petition is challenge to the mutation entries with respect to the suit properties being plot no.11/1 situated at Mouza Chanda Nazul, Mohalla Babupeth, Chandrapur. About this property, Regular Civil Appeal no.18 of 2005 was filed and in accordance with the judgment in this appeal, Regular Civil Suit no.253 of 1989 is pending before the Civil Court at Chandrapur as on today. By the impugned order the earlier mutation entries are cancelled and it is directed that further mutation entries be carried out in accordance with the orders to be passed by the competent civil Court after deciding the regular civil appeal.

4. Primary contention of the learned counsel for the petitioners is that the mutation entries recorded in favour of the petitioner are directed to be cancelled whereas there is no specific direction to cancel other mutation entries in favour of the respondents.

5. The controversy about the mutation entries reached upto the Chief Secretary, after a challenge was raised to the order dated 17.08.2010 passed by the Deputy Director of Land Records, Nagpur. The appeal was decided by the Chief Secretary after giving due notice and an opportunity of hearing to the parties concerned and by order dated 14.01.2026, the appeal was finally decided.

6. On a careful perusal of the impugned order, it becomes clear that the Chief Secretary has specifically directed that all the mutation entries with respect to the property in question are cancelled in accordance with the order dated 31.12.2005 passed by the Superintendent of Land Records, Chandrapur. It is also specifically directed that further mutation entries be recorded on the basis of decision in Regular Civil Appeal no.18 of 2005 and the civil suit pending before the Court of Joint Civil Judge (Senior Division), Chandrapur. As such, it is clear that the mutation entries are not directed to be finalized and they are made subject to the civil litigation pending before the competent civil Courts. As such, by the impugned order, there are no directions to record any mutation entries causing any prejudice to the rights of the petitioners since all the mutation entries are made subject to the result of the civil litigation.

7. As such, no perversity is seen with the impugned orders, warranting interference at this stage. Hence, the writ petition is dismissed with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

APTE