

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**SECOND APPEAL NO. 301 OF 2014**  
**WITH**  
**CIVIL APPLICATION NO. 1817 OF 2013**

*rrpillai*

The State of Maharashtra and Another... Appellants/Applicants  
Vs.

Shri Liladhar Ramchandra Patil and Another... Respondents

Mr. D. J. Haldankar, AGP for the Appellants.

Mr. Niranjana Shimpi for Respondent No.1.

**CORAM : GAURI GODSE, J.**

**DATE : 4<sup>th</sup> FEBRUARY 2026**

**ORDER :**

**Second Appeal No. 301 of 2014**

1. Heard. The second appeal is admitted on the following substantial questions of law :

(i) In the absence of full and complete description of the suit property with reference to the description of the land as required under Order VII Rule 3 of the Code of Civil Procedure, 1908 ("CPC"), whether the plaintiffs' contention that the suit property is situated on a private land can be accepted for grant of the reliefs as prayed in the suit?

Digitally signed  
by  
RAJESHWARI  
RAMESH  
PILLAI  
Date:  
2026.02.05  
10:36:39 +0530

RAJESHWARI  
RAMESH  
PILLAI

(ii) In view of the pleadings and evidence produced on record by the appellants, whether it can be held that the suit property situated on Survey No. 12 stands in the name of State Government as a forest land?

(iii) Whether the impugned judgments and decrees suffer from misappreciation of the pleadings and evidence on record and therefore liable to be quashed and set aside ?

2. Learned Advocate for respondent no. 1 waives notice.
3. In addition to court notice, learned Advocate for the appellants to serve respondent no. 2 by private service and file service affidavit.
4. Call for record and proceedings.
5. Printing is dispensed with.
6. Learned Advocate for the appellants shall file private paper book within one year from today.
7. Learned Advocate for the appellants shall ensure that copies are supplied and court notice is served by taking hamdast.

**Civil Application No. 1817 of 2013**

8. Rule on interim relief in terms of prayer clause (b) is made returnable on 1<sup>st</sup> April 2026.

9. Learned Advocate for the respondent no. 1 waives notice.

10. In addition to court notice, learned Advocate for the applicants to serve respondent no. 2 by private service and file service affidavit before the next date.

11. In the meantime, respondents shall not create any third party rights or part with possession of the suit property, in favour of any third party.

12. Learned Advocate for the applicants shall ensure that copies are supplied and court notice is served by taking hamdast.

**[GAURI GODSE, J.]**