

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 1721 OF 2026

Omprakash Jagannathji Daga

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

...

Advocate for the Petitioner : Mr. Latange Vijay Prabhakar Rao

AGP for Respondent/State : Mr. K.N. Lokhande

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**CORAM : S. G. CHAPALGAONKAR, J.**

**DATED : FEBRUARY 18, 2026**

**PER COURT :-**

1. Present petition takes exception to order dated 07.12.2023 bearing Outward No.2023/Revenue/Recovery/RRC/Kavi-1615, thereby issuing RRC regarding Gat No.66 situated at Village Aliyabad to the extent of 4 H 00 R.

2. Mr. Latange, learned advocate appearing for petitioner submits that petitioner purchased subject property under registered sale deed dated 16.10.2017 from Mr. Ashok Haridas Jagdale. Since then, he is in possession of property. He applied for mutation on the basis of registered sale deed. However, his mutation is kept pending for reasons that necessary sanction from Collector was not obtained before execution of sale deed.

3. Mr. Latange invites attention of this Court to communication dated 29.04.2022 issued by Talathi, Sajja Naldurg to Tahsildar, Tuljapur stating that sale has been executed after getting necessary sanction from Collector's Office vide order dated

27.01.2014 and, therefore, there is no impediment to record petitioner's name in record of rights. Mr. Latange would submit that since name of his vendor continued in record of rights, now action has been taken assuming that land belongs to Ashok Haridas Jagdale, who was director of sugar factory and recovery of dues is directed against him towards default of Karkhana. *Prima facie*, it can be observed that land in question has been alienated in name of petitioner and Mr. Ashok Haridas Jagdale lost is ownership.

4. In that view of matter, issuance of recovery certificate towards default of Ashok Jagdale and further action of auction under RRC may not be countenanced.

5. Hence, issue notice to respondents, returnable on 01.04.2026. Learned AGP waives notice for respondents.

6. Till returnable date, no coercive action shall be taken against petitioner in pursuance to impugned order and recovery certificate.

**(S.G. CHAPALGAONKAR, J.)**