



1

WA-2465-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 30th OF OCTOBER, 2025

WRIT APPEAL No. 2465 of 2025

KAMALA DEVI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Mrs. Tulika Gulatee - Advocate for Appellant.

Mr. Ritwik Parashar - Government Advocate for Respondents/State.
.....

ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

1. Appellant impugns order dated 25.02.2025, whereby the parties have been relegated to Civil Court for establishing their title.

2. Learned counsel for appellant submits that the Revenue Authorities have already held in favour of the private respondents and mutated the property in their favour and said mutation is likely to affect the rights of the appellant in the Civil Court.

3. The apprehension expressed by learned counsel for the appellant is misplaced for the reason that it is settled position of law that the mutation entries are only for the purposes of revenue and not determinative of the title of the parties and title of the parties is determinative by the Civil Court if there is a dispute. Recently, the Supreme Court has reiterated the settled



position of law in the matter of *Karam Singh Vs. Amarjit Singh & Ors. 2025 INSC 1238* on 15.10.2025 and held that as far as the mutation proceedings are concerned. It is well settled that mutation entries do not confer title. They serve a fiscal purpose, that is, to realize tax from the person whose name is recorded in the revenue records. Similar view was taken by the Supreme Court in earlier decisions i.e. *Balwant Singh Vs. Daulat Singh (1997) 7 SCC 137* and *Suraj Bhan Vs. Financial Commissioner (2007) 6 SCC 186*. In the instant case, there is two conflicting wills be profounded by the appellant as well as private respondents.

4. Accordingly, we are of the view that the order relegating the parties to establish their title before Civil Court does not warrant any interference. However, it is clarified that the Civil Court if approached would not influenced by the mere fact that mutation has been done in favour of one party or other.

5. Appeal is accordingly disposed of in the above terms.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

Shub