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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.304 OF 2014

Mr. Kuber Annappa Kuchnure	... Petitioner
Vs.	
Tahasildar, Kolhapur and Ors.	... Respondents

Ms. Anjali Raghunath Shiledar Baxi, for the Petitioner.
Mr. V.S. Gokhale, AGP, for Respondent Nos.1 to 4.

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CORAM : A.S. OKA & A.P. BHANGALE, JJ
DATED : 13th APRIL, 2015

PC.

. Heard the learned counsel appearing for the Petitioner and the learned AGP for the Respondents. The challenge is to the notice dated 12th August, 2013. The learned counsel appearing for the Petitioner invited our attention to the notice dated 10th July, 2013. We have perused the notice dated 10th July, 2013. It is obvious from the notice that survey of the land claimed by the Petitioner is sought to be carried out as there is a proposal to acquire the land described in the said notice. Notice dated 12th August, 2013 is merely a continuation of the earlier notice dated 10th July, 2013. It is obvious that while carrying out survey and measurement, the Petitioner cannot be dispossessed. If the Respondents desire to initiate action of dispossession under the law

relating to compulsory acquisition, the Respondents will have to follow due process of law. Only by carrying out measurement and survey, the rights of the Petitioner are not affected. The Petitioner cannot be dispossessed on the basis of such a notice for carrying out survey and measurement. Subject to what is observed above, the Petition is disposed of. All contentions of the parties are kept open.

(A.P. BHANGALE, J)

(A.S. OKA, J)