

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

WRIT PETITION NO.1917 OF 2014

Naresh Kumar Kumariya

.. Petitioner

Versus

City Village Officer,

Village Chakala, Vile Parle Division

Mumbai and others

.. Respondents

**Shri. Vishal Kanade with Parag Sharma & Kinshuk Kislaya i/by
Udwadia & Udeshi, for the Petitioner.**

Shri. Manoj M. Kadam, for the Respondent No.2.

CORAM : R.M. SAVANT, J.

DATE : 13th APRIL, 2015

PC.

1. The above Writ Petition takes exception to the order dated 30.08.2011 passed by the City Survey Officer, Vile Parle, Mumbai. Against the said order an Appeal would lie before the Deputy Superintendent of Land Records, in view thereof there is no warrant to entertain the above Petition by relegating the Petitioner to the said remedy by way of Appeal, the above Petition is disposed of. The Learned Counsel appearing for the Respondent No.2 Shri. Manoj M. Kadam states that the Respondent No.2 would not object to the filing of the Appeal on the ground of limitation and that the Appeal would be proceeded with on merits. Statement

accepted. Needless to state that the contention of the parties have not been considered by this Court and it is before the Appellate Authority that the parties can urge the said contentions and the Appellate Authority would decide the Appeal after taking into consideration the said contentions. In the event, the Appeal is filed the same to be decided expeditiously.

[R.M. SAVANT, J]