

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2473 OF 2016

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. Sudhir Halli for the petitioner.

Mr. S.D. Rayrikar, AGP for respondent nos. 1 to 3.

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CORAM : M. S. SONAK, J.**DATE : 25.02.2016.****P.C. :-**

1. Not on board. Upon production taken on board.
2. This petition is quite mis-conceived. The petitioner has instituted Revision Petition on 10/02/2016 and thereafter rushed to this Court to obtain expedition orders. In the alternate the petitioner requests this Court to consider his application for interim relief. Both these reliefs in the facts and circumstances of the present case are quite mis-conceived. The purpose of providing alternate and efficacious remedy under the statute will be frustrated if, the parties, without even waiting for some reasonable time rush to this Court and require this Court to decide applications for interim relief. Besides, this is only a matter relating to entries in survey

records. The settled position in law that mere entries in survey records do not determine issues of title. If at all, the petitioner has any serious apprehension that his civil rights will be affected, the petitioner is always at liberty to institute a civil suit to protect his rights. However, there was no necessity to rush to this court in a matter of this nature. Ordinarily, whilst dismissing the petition of this nature costs are required to be imposed. However, on this occasion this Court refrains from imposition of any cost, the petition is however dismissed.

(M.S. SONAK, J.)