

Sequeira

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

Writ Petition No. 5000 OF 2016

Chandrabhagabai Tukaram Ghorpade & ors. .. Petitioners

Vs

Chandrabhan Gangadhar Khapre and anr. .. Respondents

Mr.Sanjay Shinde, for Petitioners.

***CORAM : N.M.Jamdar, J.
Friday, 7 October 2016.***

P.C. :

The limited grievance made by the learned counsel for Petitioners is that the basis on which the Commissioner will measure the land has not been specified in the impugned order. The learned counsel for Petitioners states that Petitioners are not averse to appointment of Commissioner but the basis on which the measurement will be carried out must be specified. This grievance made by the learned counsel for Petitioners cannot be stated to be unfounded. The impugned order is passed without any reasons at all. In spite of notice by this Court, Respondents have not appeared. In the circumstances, before the Commissioner so appointed proceeds to carry out the work of measurement, the learned Civil Judge, Yeola after hearing both the sides will specify the basis on which the

measurements will be carried out. With this clarification, Writ
Petition is disposed of.

(N.M.Jamdar, J.)