

FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.7785/2015

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| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Ranjit Patil for the petitioner

**CORAM : K. K. TATED, J.**

**DATE : JULY 12, 2016**

**PC.:**

1. Heard. By this petition under Article 227 of the Constitution of India the Petitioner plaintiff challenges the order dated 27.01.2015 passed by the Trial Court rejecting the application made by the petitioner below Exhibit- 20 for direction to the TILR to carry out measurement of the suit property i.e. gut No.2490 (old) and Gut No.102 (new).

2. The Trial Court rejected the application made by the plaintiff on the ground that earlier similar application was made by the plaintiff which was rejected.

3. The learned counsel for the petitioner seeks liberty to make appropriate application before the Trial Court for carrying out measurement through private surveyor. Same is permitted.

4. Hence, following order is passed:
  - a. Writ Petition stands dismissed with permission to file appropriate application before the Trial Court for carrying out measurement through private surveyor at their costs and consequences.
  - b. If such an application is made, Trial Court to decide the same on its own merits.

**JUDGE**