

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

60 WRIT PETITION NO. 9776 OF 2017

WAMAN SITARAM KHODSE AND ANOTHER
VERSUS
HANUMANT SHIVAJI KHODSE AND OTHERS

...

Advocate for Petitioners : Mr. Shrikant T. Veer.

Advocate for Respondents : Mr. Shrimant Mundhe.

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CORAM : **V. K. JADHAV, J.**

DATE : 13th November, 2017.

P.C.:

. By order dated 8th August, 2017, this Court has kept the writ petition alive to the extent of the directions given by the Trial Court at clause (3). The learned counsel for Petitioners, on instructions, submits that the Petitioners / Plaintiffs are not ready to give consent to fix the boundaries as per the Revenue Record as directed in clause (3) of the impugned order. The learned counsel appearing for the Respondents / Defendants, however, on instructions, submits that the Respondents / Defendants are ready to give such consent.

2 On perusal of clause (3) of the impugned order, it appears that the Trial Court has directed the T.I.L.R., Kaij to fix the boundary of the area of Plaintiffs and the Defendants as per revenue record if the parties unanimously consent for it at the time of measurement. It

appears that the parties are not giving the consent unanimously and as such, the T.I.L.R., Kaij is not bound to obey those directions in view of the submissions recorded as above. The writ petition is accordingly disposed of.

[V. K. JADHAV, J.]

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