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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 172 OF 2017

Mrs. Shubhangi Kiran Ramtirtha and anr.

.. Petitioners

Vs.

The Chief Officer, Kulgaon-Belavli Nagar
Parishad and ors.

.. Respondents

Mr. S. A. Sawant a/w Mr. Abhishek Deshmukh and Bhavna Singh for
petitioners.

Mr. D. P. Adsule for respondent nos.1 and 2.

Mr. Vikas Mali, AGP for State.

CORAM: NARESH H. PATIL &
M. S. KARNIK, JJ.

FEBRUARY 20, 2017.

P.C.

1. Petitioners' grievance is that City Survey Office is not gathering courage to visit the plot/property allegedly owned and possessed by the petitioners for measurement purpose. At one stage, it appears that the petitioners requested for police help for the same. We have also seen the communication made by Senior Inspector, Badlapur (West) Police Station addressed to the petitioner no.2 dated 28/4/2015. Learned counsel

for the petitioners submits that some third party interference is not ruled out, who would be making efforts to encroach upon the property owned and possessed by the petitioners.

2. All these issues cannot be looked and inquired into at this stage in exercise of extra ordinary writ jurisdiction. The petitioners may resort to alternate remedy as permissible in law. In case the petitioners has any grievance regarding the inaction on the part of the City Survey Office, the petitioners are at liberty to approach the higher officer, if not already approached. In case any representation is pending, the same shall be attended to and necessary decision be taken by the concerned officer.

3. We have not expressed any opinion in respect of the rights of the petitioners and claim of the petitioners that the alleged property is owned and possessed by the petitioners.

4, With the aforesaid observations, petition is disposed of.

(M. S. KARNIK, J.)

(NARESH H. PATIL,J.)