

HON'BLE SRI JUSTICE S. V. BHATT

Writ Petition No.20651 of 2017

ORDER:

The petitioner challenges a Notice dated 21.04.2017 by 4th respondent calling upon the petitioner to attend survey scheduled to be held on 25.04.2017.

2. This court is of the view that 4th respondent complying with statutory requirement of issuing notice to attend the neighbouring land owners or owners in the same survey number, has issued notice to petitioner to remain present with documents, if any, at the time of survey. The challenge to the notice issued without conducting survey or demarcation of a boundary, the grounds raised in the petition cannot and ought not to be considered. The petitioner has remedy before the 4th respondent as well. At the time of survey, if aggrieved by the mode and manner of conducting survey, the matter can be brought to the notice of the Assistant Director of Survey and Land Records. The petitioner by the decision of Surveyor still aggrieved can file a suit for appropriate relief.

3. The writ petition fails and dismissed. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

S.V.BHATT, J

Date: 23.06.2017
BSS

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