

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2714 OF 2015

SUBHASH BHASKAR CHOUDHARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. A.P. Bhandari, Advocate for petitioner
Mr. S.P. Tiwari, AGP for respondent - State
Mr. A.G. Talhar, Advocate for respondent no.4
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 03-10-2018

ORDER :

1. Heard learned counsel for the parties.
2. Having regard to submissions on either side, it does not appear that it would be necessary to go into merits of the case since respondent no. 4's counsel, on instructions, gracefully gives consent for measurement of lands provided entire land *gat* no. 148 and entire land *gat* no. 149 are measured at the expenses of petitioner along with sub-divisions therein. Since the parties are consenting, looking at the nature of dispute pending in the suit, it appears to be expedient to direct that entire land *gat* no. 148 and land *gat* no. 149, situated at Mauje Shirsoli Pragane Bornar, Taluka and District - Jalgaon, be measured along with sub-divisions therein.

3. Petitioner's counsel, on instructions, states that petitioner would bear the expenses of such measurement.

4. In view of above and especially, since the measurement is likely to go into resolution of dispute a long way, it appears to be expedient to indulge into the request. As such, impugned order dated 20-06-2013 passed by learned civil judge junior division, Jalgaon below Exhibit - 6 in regular civil suit no. 634 of 2012 is set aside and same stands modified as above.

5. Taluka Inspector of Land Records / District Inspector of Land Records / Deputy Superintendent of Land Records, to measure entire lands bearing *gat* no. 148 and 149 along with their sub-divisions, as early as possible, upon the expenses therefor being paid by petitioner.

6. Writ petition is disposed of.

[SUNIL P. DESHMUKH]
JUDGE

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