

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

WRIT PETITION NO. 14075 OF 2017

Ubeda Begum W/o Abdur-Rehman & Ors. ... Petitioners

VERSUS

The State of Maharashtra & Ors. ... Respondents

.....
Mr Sayyed Tauseef Yaseen, Advocate for the petitioners
Mrs M. A. Deshpande, AGP for respondents No. 1 to 4
Respondent No. 6 served.
.....

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 26TH APRIL, 2018.

ORDER:

1. Mr Syed, the learned counsel for the petitioners submits that, the affidavit is filed by the respondents contending that the joint measurement is done. According to the learned counsel, respondents took more than eight years to perform their duties. Because of the measurement is not done, further encroachments are made.

2. The petitioners claimed relief by seeking directions against the respondents to measure the land of the petitioners in Survey No.25, Mouje Murshadpur.

3. The respondents have contended that the land is measured.
4. In case the petitioners are not satisfied with the measurement conducted or consider it to be erroneous, the petitioners have remedy to apply for Nimtana measurement.
5. In para 18 of the affidavit, it is stated that, if all concern joint holders by their mutual consent applies for Pothissa measurement or if the parties are directed then order of distribution can be made.
6. Learned counsel for the petitioners states that, the petitioners would file an application with the respondent-authorities. In case such an application is filed, then the respondent-authorities shall consider the application and proceed in accordance with the provisions of law, expeditiously. The process on the said application shall commence within six weeks from the date of receipt of same and shall be taken to its logical end, expeditiously.
7. Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE