

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST.) NO.15184 OF 2018

Ravindra Hiralal Bari

.. Petitioner

Vs.

State of Maharashtra & Ors.

.. Respondents

Mr.Angad Giri for the petitioner.

Mr.S.D. Rayrikar, AGP for the respondent nos.1, 3 & 4-State.

Mr.Arif Bookwala i/by Mr.S.A. Waradkar for the respondent nos.5 & 6.

CORAM : R.D. DHANUKA, J.

DATE : 4th June 2018

P.C.:

. Papers are allowed to be produced at 3.00 p.m.

2. Learned counsel appearing for the petitioner, on instructions states that without prejudice to the rights and contentions of the petitioner in pending appeal before the respondent no.2, the petitioner has no objection if survey is carried out as directed in the impugned order subject to the outcome of the pending appeal before the respondent no.2. Statement is accepted.

3. Survey is allowed to be carried out subject to the further order as may be passed by the respondent no.2 in pending appeal. The writ petition is disposed of in aforesaid terms. The respondent no.2 shall dispose of the appeal filed by the petitioner and others referred in this petition expeditiously. The petitioner is directed to convey this order to the respondents immediately. There shall be no order as to costs. Parties as well as the authority to act on the authenticated copy of this order.

R.D. DHANUKA, J.