

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

WRIT PETITION NO. 9310 OF 2018

Baban Arjuna Jambhale and others	... Petitioners
Versus	
The City Survey Officer and others	... Respondents
.....	
Mr. Ramesh L. Majgaonkar for Petitioners.	
Mr. N.C. Walimbe, AGP for the State.	
.....	

CORAM : A. S. OKA AND A.M. DHAVALÉ, JJ.

DATE : 31st AUGUST, 2018.

P. C.:

1. The challenge in this petition under Article 226 of the Constitution of India is to a notice of survey, served upon the petitioners by a Survey Officer under the Maharashtra Land Revenue Code, 1966. Even if the survey is carried out, the petitioners will not be dispossessed or the right, title and interest claimed by them will not be affected. Moreover, if they are aggrieved by the survey, there is a remedy available.
2. Subject to above observations, this is not a fit case where the petitioners can be allowed to invoke the writ jurisdiction under Article 226 of the Constitution of India.
3. The petition is accordingly disposed of.