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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10831 OF 2018

Smt.Vaijayanti Vitthal Gavale ...Petitioner
vs.
The State of Maharashtra & Ors. ...Respondents

Mr.Sandesh Deshpande for the Petitioner
Mr.Y.S.Khochare, AGP for the respondent Nos.1 to 6
and 9.

CORAM : A.S.OKA, &
SANDEEP K. SHINDE, JJ.
DATE : NOVEMBER 19, 2018

P.C.:

1 The learned AGP on instructions of the fifth respondent states that he will carry out survey and demarcation of the land bearing survey No.189-A/8 at Vasind, Taluka Shahapur, District Thane within a period of four weeks from the date on which necessary survey fee is deposited by the petitioner. We accept the said statement. The learned counsel for the petitioner states that the petitioner is willing to pay the requisite survey fee. We accept the said statement.

2 The statement made by the fifth respondent takes care of the only substantive prayer made in this petition which is prayer clause (a). Therefore, we dispose of the petition by passing the following order:

(I) We accept the aforesaid statement made by the fifth respondent who is personally present in the Court;

(II) We direct the fifth respondent to communicate to the petitioner the amount of survey fee/charges payable by the petitioner and to provide necessary Challan to the petitioner within a period of two weeks from the date on which this order is uploaded;

(III) The petitioner shall deposit necessary survey fees/charges within a period of two weeks from the date on which the Challan is provided to the petitioner;

(IV) Within a period of four weeks from the date on which necessary fees are deposited by the petitioner, the fifth respondent shall carry out survey and demarcation in terms of his statement of the land more particularly described in prayer clause (a);

(V) Needless to add that the fifth respondent will issue necessary notices to all concerned persons in accordance with law before carrying out survey;

(VI) We make it clear that this order shall not be construed to mean that any adjudication is made by this Court as regards the title of the subject property;

(VII) Writ Petition is disposed of on above terms.

(SANDEEP K.SHINDE,J.)

(A.S.OKA,J.)