

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 11947 OF 2018

Bhalchandra Haribhau Tingre. ... Petitioner.
V/s.
Ganesh Vitthal Tingre and others. ... Respondents.

Mr.Chaitanya Nikte for the petitioner.

Mr.Y.S.Khochare, AGP for the respondent- State.

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

DATE : 17th October 2018.

P.C.:

Not on board. Taken up on board.

2. The learned counsel appearing for the petitioner invited our attention to the application for stay filed by the petitioner in Revision Application No.6878/2018, a copy of which is annexed as Exhibit-EE. On instruction, he states that the said application is still pending. He submits that, in the meanwhile, the property claimed by the petitioner will be surveyed on notice dated 3rd October 2018.

3. We make it clear that even if the survey is carried out and measurements are taken for fixing the boundaries, the rights of the petitioner are not affected and that the survey will not confer any right on the first respondent.

4. We dispose of this petition by directing the 5th respondent to decide the stay application filed by the petitioner as expeditiously as possible and, in any rate, within a period of one week from the date an authenticated copy of this order is produced before revisional authority. All contentions on merit are kept open.

(M.S.SONAK, J.)

(A.S.OKA, J.)