

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

WRIT PETITION NO. 8710 OF 2018

The Zilla Parishad Nanded through
its Chief Executive Officer and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri R. K. Ingole, Advocate for Petitioners.

Shri S. K. Tambe, A.G.P. for Respondent Nos. 1 to 4.

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

DATE : 08TH APRIL, 2019.

FINAL ORDER :

. The learned counsel for petitioners submits that, measurement fees is paid on 22.02.2007, however, measurement is not carried out, the boundaries are not fixed of Sy. No. 46/gut No. 125 situated at Mouje Taroda (Kh), Nanded, Tq. & Dist. Nanded. The learned counsel further submits that, the representation has also been given on 29.03.2016 and 23.10.2017, but to no avail.

2. The learned Assistant Government Pleader for respondents/State submits that, though pursuant to directions of this Court in Writ Petition No. 5075 of 2009 dated 07th October,

2013, the measurement has been carried out in presence of all the parties and the measurement map has been submitted, the said measurement is done on 11.02.2014.

3. The measurement has been conducted by the office of the District Superintendent of Land Record, Nanded. If the petitioners dispute the said measurement, the petitioners have remedy to file an appeal against said measurement (Nimtana measurement). If the measurement is not carried out by the respondents as per measurement fees given, then the said fees be refunded by the office of the District Superintendent of Land Records, Nanded to petitioners. The petitioners if so advised may apply for Nimtana Measurement within a period of four (04) weeks from today. In case application is received by the Appellate Authority for measurement, the Appellate Authority shall upon proper fees being paid by the petitioners measure the land after issuing notices to all interested persons. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 19