

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

WRIT PETITION NO. 14253 OF 2018

Prabhu Gena Bade and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri K. D. Bade Patil, Advocate for Petitioners.

Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 and 2.

Shri S. B. Patil, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
 AVINASH G. GHAROTE, JJ.**

DATE : 18TH NOVEMBER, 2019.

FINAL ORDER :

. Mr. Patil, the learned advocate appearing for the respondent No. 3 submits that, the office of the Superintendent of Land Record has asked for obtaining the consent of the petitioners for measurement. After measurement, decision can be taken about the land of the petitioners affected under the submergence.

2. Mr. Bade Patil, the learned counsel for petitioners submits that, the respondents never approached for taking consent. The learned counsel on instructions further submits that, the petitioners have no objection to measure the land.

3. In view of that, the respondent No. 3 shall take steps

immediately to conduct the measurement of the property, which according to petitioners is affected under submergence. The steps shall be taken within a period of one (01) weeks from today and measurement shall be carried out within a period of six (06) weeks thereafter. Depending upon the report of the measurement, further steps be taken by the respondent No. 3 within a period of four weeks thereafter.

4. In view of the above, the writ petition is disposed of. No costs.

[AVINASH G. GHAROTE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Nov. 19