

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4445 OF 2013

Vijaykumar Raghunath Joshi through Power of
Attorney Holder, Yashwant Janardhan Bhagat ...Petitioner
Versus
The State of Maharashtra through Principal
Secretary, Urban Development Department &
Ors ...Respondents

Mr SM Kamble, for the Petitioner.
Mr BV Samant, AGP, for Respondents Nos. 1 to 4.
Mr Sudhir Prabhu, for Respondent No. 5.
Mr Bhushan Walimbe, for Respondent No. 6.

CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ
DATED: 4th June 2019

PC:-

1. Heard Learned Advocate for the Petitioner.
2. The remedy of the Petitioner and particularly to obtain measurement and demarcation of the plot allotted to him by the Arbitrator under the Town Planning Scheme, is to file a civil suit in the competent Court. All reliefs in the nature of demarcation after

measurement can be obtained in such a suit. In the event a larger plot is sought to be divided, sub-divided or partitioned by metes and bounds, even that relief can be sought by appropriate declaration and decree. We do not think that such relief can be granted in this Writ Petition. The Writ Petition is misconceived and it is dismissed.

3. The pending Civil Application, if any, is also dismissed.

(G. S. PATEL, J)

(S. C. DHARMADHIKARI, J)