

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1869/2017

Sujay N. Kantawala & Anr. ... Petitioners

V/s.

Anita Umesh Sanghavi ... Respondent

Mr. P. S. Dani, Senior Advocate I/b. Satyajeet H. Joshi with
Nachiket Darda for the Petitioners

Mr. Swanand Ganoo with Deepak Shukla I/b. Ms. Vinod Mistry &
Co. for the Respondent

CORAM: K.K. TATED, J.

DATED : FEBRUARY 27, 2019

P.C. :

1 Heard. After arguing for some time, both the counsel tendered minutes of order dated 27.02.2019 duly signed by both the parties and their respective counsel. Same are taken on record and marked "X" for identification, which read thus:

2 The Writ Petition stands disposed of in terms of the minutes of order.

3 Parties to act on an authenticated copy of this order.

MINUTES OF ORDER

1. By consent the impugned order dated 16.08.2016 passed below Exhibit-35 in Regular Civil Suit No.124 of 2014, passed by Joint Civil Judge Junior Division

Palghar is quashed and set aside and the Application of the Petitioners / Original Defendants at Exhibit-35 in Regular Civil Suit No.124 of 2014 is allowed on following terms :-

- i. Taluka Inspector of Land Records Palghar is hereby appointed as Court Commissioner in Regular Civil Suit No.124 of 2014.
- ii. The Court Commissioner will measure and Survey the suit land i.e. Survey No.88 and adjoining lands bearing Survey Nos.87 and 89 situated at Village Gundale, Taluka and District Palghar, after giving notice to the Advocates for the parties in the above-mentioned suit.
- iii. After survey and measuring the lands, a report of the survey and measurements, shall be submitted to Ld. Joint Civil Judge Junior Division Palghar in Regular Civil Suit No.124 of 2014.

2. Petitioners i.e. Defendants will bear the cost of survey and measurements.

3. Writ Petition is disposed of in above terms.”

4 No order as to costs.

(K. K. TATED, J.)