

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.6052 OF 2019

Wahid Khan Amanullah Khan, Yavatmal

-vs-

Hariom Satyanarayan Bhoot and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri M. P. Khajanchi, Advocate for petitioner.
Shri S. S. Das, Advocate for respondent No.1.

CORAM : A.S.CHANDURKAR, J.

DATE : October 04, 2019

On 18/09/2019 after hearing learned counsel for the parties the following order was passed :

“ The respondent no.1 has filed reply pursuant to the notice issued in which it has been now stated that the plaint map is available before the executing Court. It is further stated that a certified copy of the plaint map has also been placed on record. In view of these statements, it becomes clear that the executing Court is free to proceed with the execution as per the order dated 03.09.2019.

The impugned order requires the T.I.L.R. Yavatmal to be appointed to find out actual spot as per the map prepared by him on 14.03.2007. The decree holder has been directed to deposit necessary charges before the T.I.L.R. Office, Yavatmal.

The respondent no.1 to make a statement whether the charges of the T.I.L.R. have been duly deposited.

Stand over 27.09.2019.”

2. Affidavit dated 25/09/2019 has been filed on behalf of the decree-holder to indicate that on 25/09/2019 the Deputy

Superintendent of Land Records has directed the measurer to carry out necessary measurement as per the map on record. No amounts are required to be deposited in that regard.

3. With a view to execute the decree dated 15/03/1988, in terms of the communication dated 25/09/2019 the Taluka Inspector Land Records shall measure the actual area as per the map on record and prepare a report in that regard. He shall put marks on the portion demarcated and the parties shall not disturb or remove those marks. After that report is submitted, further steps for executing the decree can be ordered by the Executing Court. The Taluka Inspector Land Records shall place that report on record of the Executing Court after which the Executing Court is free to proceed with the execution of the decree in accordance with law. With these directions the writ petition is disposed of with no order as to costs.

JUDGE