

Dusane

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7912 OF 2022

Smt. Anjali Suresh Warke

...Petitioner

Versus

Tahsildar Office, Pune & Ors.

...Respondents

Mrs. Indrayani M. Koparkar for Petitioner.
Mrs. P.J. Gavhane, AGP for State.

BHALCHANDRA
GOPAL
DUSANE

**CORAM : S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : 27TH JULY 2022

P.C. :

1. We have heard learned counsel for the Petitioner. Learned counsel submits that the Petitioner had earlier approached this Court by filing Writ Petition No. 5810 of 2013. This Court, under order dated 7th March 2014 had issued directions for reconstruction of record and further directed that it will be open for the Petitioner to apply for demarcation of the land purchased by sale deed dated 24th December 1981. Thereafter Contempt Petition was filed bearing No. 162 of 2015.

2. This Court under order dated 28th April 2017 disposed of the said Contempt petition on the ground that the record is reconstructed.

3. Learned counsel submits that the Petitioner is seeking directions for demarcation of the boundaries bearing Survey No.5, Hissa no. 13 and Plot Nos. 13 and 42 situated at Mauje Kondhva Budruk, Taluka Haveli at Pune. Learned counsel submits that if the demarcation is made, further steps can be undertaken.

4. Upon being asked about the status of land, learned counsel for the Petitioner submits that there are encroachments over the land. In view of the fact that the question of possession also would arise, it would be appropriate for the Petitioner to take recourse to the remedy that may be available before the Civil Court, or such other forums as may be permissible in law.

5. The Writ Petition as such disposed of with liberty to the Petitioner as aforesaid. No costs.

6. All contentions of the Petitioners are kept open.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)