

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 341 OF 2022**

Shamrao Dilip More and others ... Petitioners

Versus

Tahsildar, Niphad and others ... Respondents

.....

Mr. Bhushan Deshmukh for the Petitioners.

Ms. M.P. Thakur, AGP for the State.

.....

**CORAM : S.J. KATHAWALLA AND
MILIND N. JADHAV, JJ.**

DATED : FEBRUARY 23, 2022

P.C. :-

1. Perused the Affidavit filed by Shri Santoshkumar Prabhakar Saitwal, Deputy Superintendent of Land Records, Niphad, District : Nashik, on behalf of Respondent No.3. Paragraphs 10 and 11 of the same is reproduced hereunder :

"10. I say that the Petitioner opted to remain silent from 28.10.2021 and has paid necessary charges for measurement of land on 14.2.2022. I say that immediately on 14.2.2022, this Respondent has ordered the Survey Officer to conduct the measurement. I say that this Respondent shall now issue a notice to all the parties concerned for conducting the measurement. I say that within a period of next 2 weeks, the Survey Officer will conduct the measurement.

11. I say that, if the measurement is to be conducted under the protection of police, then the Petitioner may make necessary application to the concerned Police Station for providing of Police Protection. I say that the

Respondent Officer has performed their duties sincerely and within the time limit and the request of the Petitioner for conducting the measurement of land, will be conducted by the Survey Officer, under the orders passed by the Respondent No.3 within a period of 2 weeks and if the measurement is to be done in the presence of police, then as per the date and the availability of the police officers. I say that the measurement of lands in question will be conducted in the presence of Tahsildar and Circle Officer."

2. In view thereof, Respondent No.3 shall get the subject property measured within a period of two weeks from today. The Senior Inspector of Police / Incharge of local Police Station shall provide adequate police protection to the officials who shall be taking measurements of the subject property. After the survey, order dated 3rd March, 2021 (Exhibit "B" to the Petition) shall be complied with within four weeks.
3. The above Writ Petition is accordingly disposed off.

(MILIND N. JADHAV, J.)

(S.J. KATHAWALLA, J.)