

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO.4 OF 2022
IN
WRIT PETITION NO.1695 OF 2021**

Rohan J. Tiwari & Ors.

... Petitioners

Vs.

Suraj Kavale, City Survey Officer, Malad
& Ors.

... Respondents

Mr. Dhruvad Patil a/w D. D. Patil for the Petitioners.
Mr. Manish Upadhye, AGP for the Respondent-State.
Ms. Oorja Dhond for the Respondent-BMC.

**CORAM : A.A. SAYED &
ABHAY AHUJA, JJ.**

DATE : 4TH APRIL 2022

P.C. :

1. On 11th January 2022, we had passed the following order :-

“P.C.:

This Contempt Petition is taken out by the Petitioner alleging breach of the order dated 5 August 2021.

2. *We have perused the Affidavit-in-Reply filed by the City Survey Officer, Malad, Mumbai and in particular paragraphs 8 onwards.*

3. *We record the statement of the learned Counsel for the Petitioner that the Petitioner would meet the concerned City Survey Officer, Malad and make necessary compliances as required under law within two weeks from today. Upon making such compliances, the City Survey Officer shall survey and demarcate the land as recorded in the order dated 5 August 2021.*

4. *In view of the above, we need not keep the Contempt Petition pending. The Contempt Petition is disposed of.*
5. *List the Contempt Petition for directions on 15 February 2022 for reporting compliance.”*

2. Learned AGP states that there are various categories like urgent, very urgent and general category, for which the survey fees are different. Insofar as the general category is concerned, the fees are around Rs.35,000/-.

3. We direct the concerned City Survey Officer, Malad to accept the fees from the Petitioners under the general category and carry out the survey and demarcate the subject land within a period of two weeks from the date of payment being made.

4. List the matter on 18/04/2022 for ‘directions’.

(ABHAY AHUJA, J.)

(A.A. SAYED, J.)

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