

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**52 WRIT PETITION NO.5071 OF 2015
WITH
WP/10563/2015**

**ANIL RANGNATH KHOCHARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner/WP/5071/2015:
Mr. Naiknavare Ramesh V.
AGP for Respondent/State: Mr. A. A. Jagatkar
Advocate for Respondents No.6 & 7:
Mr. A. R. Devakate

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Advocate for Petitioner/WP/10563/2015:
Mr. A. N. Irpatgire

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**CORAM: ARUN R. PEDNEKER, J.
DATE: 13th MARCH, 2023**

PER COURT:

1. The petitioners by the present writ petition have challenged the order dated 13.04.2015, passed by the State, thereby, the State has set aside the orders passed by respondent no.2 - Deputy Director of Land Records and remanded the matter back to respondent no.3 - the Superintendent of Land Records, Osmanabad. It is the contention of the petitioners that their tracing map indicating the property of the

petitioners was not as per the original map maintained by respondent no.3 - the Superintendent of Land Records and accordingly they moved an application for correction of the tracing map being in line with the original map maintained by the Superintendent of Land Records. The said application is allowed by respondent no.3. However, respondent no.1, by the impugned order has noted that the right to change the original map is with respondent no.3 - the Superintendent of Land Records and there are some dispute of properties between the parties and after considering the dispute between the parties, Respondent No.3 - the Superintendent of Land Records is directed to alter the original map. Respondent No.1 held that there is a dispute of boundaries and the same needs to be resolved and, accordingly, he has remanded the matter to respondent no.3 - the Superintendent of Land Records.

2. The learned counsel for the petitioners submits that there is no dispute with boundaries

between the petitioners and the respondents and they only seeks to change the tracing map to be in line with the original map maintained by the authorities.

3. The learned counsel appearing for respondents no.6 and 7 submits that the petitioners in the garb of making changes to the tracing map are actually making changes to the original map. This issue can be resolved by a direction to the authorities that the tracing map has to be in line with the original map and that the original map cannot be altered at the instance of the petitioners. In view of this direction, the petition can be disposed of.

4. The correction to be carried out in the tracing map by following the procedure as available in law.

5. The application made by the petitioners be considered and decided within a period of three (03) months from today.

6. Both the Writ Petitions stand disposed of.

[ARUN R. PEDNEKER, J.]

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