



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.7373 OF 2018

Arvind Sugriv Jawade .Vs. District Collector, Wardha and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V. Sohoni, Advocate for the petitioner.

Ms M.A. Barabde, A.G.P. for the respondent Nos.1 to 3/State.

CORAM : ANIL S. KILOR, J.

DATED : 21/08/2023

1. Heard.

2. In the present matter, the grievance of the petitioner is that though he is in possession of 2.65 HR of land in revenue record, 0.72 HR land was shown less.

3. He is therefore, disputing the measurement carried on 10.01.1998. However, the record shows that on 10.01.1998 when the measurement was carried out the father of the petitioner as well as his real brother was present on the spot and they did not raise any objection to the measurement carried out. On the contrary, they had shown satisfaction as regards the measurement and accordingly, it was recorded by the Additional Commissioner while rejecting the revision preferred by the petitioner against the order dated 27.05.1998 passed by the Collector.

4. It is the case of the petitioner that adjoining land was owned by his father and in that capacity, the father was present on the spot at the time of measurement and thus, the measurement was carried out in absence of the petitioner. However, it is not the case of the petitioner that, no notice was served on him relating to measurement. He further failed to point out in what capacity the real brother of the petitioner was present at the time of measurement.

5. Moreover, the petitioner is having every right to apply for measurement by depositing requisite fees for measurement and after getting the land measured, the petitioner can apply for necessary correction if so require.

6. In that view of the matter, I do not want to interfere with the order passed by the Additional Commissioner, Nagpur. Accordingly, the writ petition is **dismissed.**

JUDGE