

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3298 OF 2025

Paresh Chunilal Gheewala and Ors.

...Petitioners

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Sandeep Patade i/b. Gunjan P. Shah, for the Petitioners.

Mr. Rajan S. Pawar, AGP, for the Respondent- State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 5 MARCH 2025

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P.C.:

1. This is a petition under Article 226 of the Constitution of India.

Mr. Patade, learned counsel for the petitioners would submit that the relief sought in the petition is restricted to a direction to be issued to the respondent authorities to carry out measurement of two private plots of land, bearing nos.71 and 72 owned by the petitioners situate at Baner, Pune, as set out in the petition.

2. Mr. Patade would refer to an application dated 23 April 2024 for measurement of the said plots of lands to be undertaken under provisions of Maharashtra Land Revenue Code, 1966 ("MLRC" for short) and the applicable Rules. He would state that for such purpose the requisite fees are also paid by the petitioners.

3. Mr. Rajan Pawar, learned AGP for the State would oppose the petition. However, there is no written opposition/ reply on record.
4. We have heard the learned counsel for the parties and with their assistance, we have perused the record.
5. It appears that the petitioners are aggrieved by the inaction of the respondent authorities in carrying out the measurement of the subject plots of lands owned by the petitioners, for which an application dated 23 April 2024 of the petitioners which is pending with respondent no.2. In our view, the following order would meet the ends of justice :-

ORDER

- (i) Respondent no.2 is directed to undertake the measurement of the two private plots of lands owned by the petitioners bearing nos.71 and 72 situate at Baner, Pune by drawing the necessary measurement record, as per the provisions of the MLRC 1966 and the Rules thereunder and by following the procedure in this regard.
- (ii) Such exercise be completed within a period of 4 weeks from the date this order is handed over to respondent no.2. The petitioners shall fully co-operate with the respondents in carrying out such measurement.

- (ii) All rights and contentions are expressly kept open.
- (iii) Writ Petition is disposed of. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]