

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8978 of 2023

Mrs. Savita Ganesh Satkar and Anr. ...Petitioners
 VS
 State of Maharashtra and Ors. ..Respondents

WITH
 INTERIM APPLICATION NO.3363 OF 2025

Vinayak Vilas Kadam ...Applicant
 In the matter between

Mrs. Savita Ganesh Satkar and Anr. ...Petitioners
 VS
 State of Maharashtra and Ors. ..Respondents

Mr. Y. B. Lengare with Mr. Aditya K. Gaikwad and Sunny Sadafule, for
 Petitioners.

Ms. Savita A. Prabhune, AGP for the State-Respondent Nos.1 to 4.

Mr. Nitin P. Deshpande with Rachana Harpule, for the Applicant in IA 3363/25.

**CORAM: G. S. KULKARNI &
 AARTI SATHE, JJ.**

DATE: 01 OCTOBER 2025.

P.C.

1. We have heard Mr. Lengare, learned Counsel for the petitioners, Mr. Deshpande, learned Counsel for the applicant in the Interim Application and Ms. Prabhune, learned AGP for the State. This petition under Article 226 of the Constitution is filed praying for the following substantive reliefs:

“(a) Rule nisi be issued.

(b) That this Hon’ble Court by way of appropriate Writ, order or direction be pleased to direct the Respondent No.4 to carry out the survey of the land bearing Gat No.398/1 admeasuring 53.33 R. at Village Jategaon Budruk, Tal. Shirur, Dist. Pune as per the Application dated 21.03.2023 of the petitioner and fix the boundaries and prepare the map.

(c) This this Hon’ble Court by way of appropriate Writ, order or direction

be pleased to direct the Respondent No.5 to provide the police protection for carry out the survey of the land bearing Gat No.398/1 admeasuring 53.33 R at Village Jategaon Budruk, Tal. Shirur, Dist. Pune.”

2. The case of the petitioners is that their application dated 21 March 2023 for fixing boundaries in relation to the land in question as described in the prayer clause, is pending for quite some time. It is also the petitioners contention that disturbances are caused including by the intervenors, when the exercise of measurement and fixing of the boundaries of the said land is being undertaken. Although it is the case of the intervenor as urged on behalf of Mr. Deshpande that the petitioners ought not to insist for measurement, we do not accept such contention. The petitioners’ application for demarcating boundaries and preparation of the map, would form part of the legal rights of the petitioners which are required to be recognized. The intervenors are the adjoining land owners, they need to co-operate in such exercise which pertains to the land of the petitioner. There cannot be any opposition except for the reason that there is some motive on the part of the intervenors to oppose such demarcation. However, we do not delve on such issue.

3. We accordingly allow the petition in terms of prayer clause (a) and (b). Accordingly, respondent No.4 is directed to carry out the survey of the land in question and fix the boundaries and prepare the map. The officer in charge of the concerned police station shall accordingly provide appropriate police protection on presentation of an authenticated copy of this order.

4. Let such exercise of demarcation be undertaken as expeditiously as

possible and in any event within a period of six weeks from today. Such exercise shall be carried out after issuance of 48 hours notice to the petitioners, intervenors and all other necessary parties.

5. All contentions of the parties are expressly kept open.

6. Needless to observe that the rights of the petitioner in respect of their lands are kept open.

7. Disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)