



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 310 OF 2025

(Govind Ramchandraji Masane Vs. Motiram Sakharam Tidke & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S.A. Mohta, Counsel for the petitioner.

Mr. P.S. Uparwat, Counsel for respondent no.1.

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CORAM : ANIL L. PANSARE, J.
FEBRUARY 18, 2025

Having heard both sides and having gone through the record, the dispute can only be resolved if the property belonging to the petitioner – plaintiff and the property allegedly belonging to the respondents – defendants are jointly measured and boundaries demarcated. There appears some confusion in the order passed by the trial Court inasmuch as the measurement of land bearing Gat No. 883, which allegedly belongs to the petitioner, is ordered to be measured and not the adjoining lands, which are allegedly owned by the respondents. The impugned order is accordingly modified in following terms :

I] Land bearing Gat Nos. 883, 868 and 885 be measured through the Court Commissioner, i.e., Taluka Inspector of Land Records, Balapur, District – Akola, and each property should be demarcated for just and proper decision of the case.

II] The respective party, who claims to be the owner of the land, shall bear proportionate cost of measurement.

III] Rest of the order passed by the trial Court shall stand intact.

2] With the above clarification, the petition is disposed of with no order as to costs.

(ANIL L. PANSARE, J.)

Sumit