



95-2025

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

WRIT PETITION NO. 95 OF 2025

(Madhav s/o Raghunath Yerne (dead) through legal heirs Jija Marotrao Vairagade & Ors. & Ors. Vs. Ganpat Raghunath Yerne (dead) through LRs Usha Ganpat Yerne & Ors. & Ors.)

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

Court's or Judge's orders.

Ms Kirti Satpute, Counsel for the petitioners.

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CORAM : ANIL L. PANSARE, J.
JANUARY 20, 2025

The contention is that the finding recorded by the Court below that in cross-examination of Talathi, it is brought on record that he has no sufficient knowledge of measurement of encroached land as per rules and that he has admitted that he has not qualified the examination required for measurement of encroached land, is contrary to the evidence. According to the learned Counsel for the petitioners, there is no such admission given by Talathi, rather the evidence speaks otherwise.

2] Issue notice to the respondents returnable on 3/2/2025.

3] In addition to usual mode, the petitioner may serve the respondents through all permissible modes and file affidavit of service.

4] The trial Court shall note that there is no interim relief granted as regards appointment of Commissioner. It may proceed accordingly.

5] Copy of order be served on the trial Court.

(ANIL L. PANSARE, J.)

Sumit