



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4666 OF 2026

Amol Ramprasad Takras

VERSUS

The Deputy Director Of Land Record Chh. Sambhajinagar & Ors

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Mr. S. S. Tope, Advocate for the Petitioner

Mr. S. D. Ghayal, AGP for Respondents

CORAM : S. G. CHAPALGAONKAR, J

DATE : APRIL 28, 2026

PC:

1. The present Writ Petition takes exception to notice dated 15.04.2026 issued by Respondent No. 2 for fixation of boundaries of land bearing Gut No. 110 situated at village Barda, Tq. Sengaon.

2. Mr. Tope, learned Advocate appearing for Petitioner, submits that Petitioner's grandmother was holding 14 Acres 20 Gunthas land prior to implementation of consolidation scheme. However, after implementation of consolidation scheme, Gut No. 111 is shown in name of Petitioner's grandfather and area is shown to 4 Hector 16 R. As such, there is deficit of 1 Hector 64 R in area that was owned by grandfather. Now taking disadvantage of deficit occurred during implementation of scheme, impugned notice is issued whereby measurement of land is undertaken for fixation of boundaries. According to him, Petitioner has already filed Appeal before competent Authority raising challenge to consolidation scheme and rectification of mistake caused during implementation of consolidation scheme.

By time such Appeal is decided, there was no necessity to cause measurement or fixation of boundaries. According to him, if such measurement is permitted that would create complications in decision of Appeal pending before Authority. He further submitted that Petitioner has already filed suit before Civil Court. Although he had moved an application for injunction below Exhibit 5, same has been rejected and now Appeal is pending. The impugned measurement notice is an attempt to create evidence against Petitioner.

3. Having considered submissions advanced, this Court finds that consolidation scheme has been implemented in year 1979. According to Petitioner, mistake has been caused during implementation of scheme and same needs rectification. Apparently, Petitioner has moved competent Authority i.e. Deputy Director of Land Records against entries in record in pursuance to implementation of consolidation scheme.

4. Be that as it may, impugned notice is simply issued for purpose of measurement of Gut No. 110 and fixation of boundaries. If such measurement is carried and boundaries are fixed as per consolidation scheme as is exists today, Petitioner's right to object same before Appellate Authority would not be prejudiced. Even if it is found that Petitioner possess excessive area, aforesaid measurement report could not be used against him to disturb his possession without following due process of law. This Court finds that no prejudice would be caused to Petitioner even if boundaries are fixed in pursuance to impugned notice. Therefore,

this Court is not inclined to interfere in writ jurisdiction. In result, Writ Petition stands rejected with liberty in favour of Petitioner to prosecute his remedies as permissible under law.

5. Parties to act upon an authenticated copy of this order.

(S. G. CHAPALGAONKAR, J.)

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