

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO. 9730 OF 2024

Aparajita Nandkeuliar and Anr.

...Petitioners

Vs.

The State of Maharashtra and Ors.

...Respondents

Adv. Ashutosh R. Kaushik i/by M/s. Kaushik and Co.	Advocate for the Petitioners
Mr. N. C. Walimbe, Addl. GP a/w Shri S. P. Kamble, AGP	for the Respondent-State

**CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.**

DATE : 7th JANUARY 2026

P. C. :-

1. Heard learned counsel for the Petitioners.
2. The Petitioners seek enforcement of the directions dated 21.12.2022 passed by the Deputy Superintendent Land Records, District Palghar, to conduct joint survey of Gat Nos. 377 and 378 and fix the boundaries of the said land and with the help of record maintained in the office of Deputy Superintendent Land Records

prepare a map and confirm the boundaries of the property of Gat no. 375.

3. The contesting Respondents have been duly served. From the order sheet, it seems that private contesting Respondents were represented by Advocate on the previous occasions.

4. The order of which the enforcement is sought is at page no. 43 of the paper-book. In terms of order passed by the DSLR, after hearing the Petitioners as well as private Respondents, it was directed that Gat Nos. 377 and 378 to be measured and at the same time Gat No. 375 also to be measured and accordingly, boundaries of Gat No. 375 should be determined.

5. We have gone through affidavit-in-reply filed by the Respondents. In the affidavit-in-reply at page no. 292 is copy of the communication dated 23.01.2023 of the DSLR. In the said communication, it is mentioned that measurement and demarcation of the Gat Nos. 377 and 378 is to be done on 13.02.2023.

6. We find substance in the contention of the learned counsel for the Petitioners that when after hearing all concerned, the measurement was directed to be carried out in respect of Gat Nos. 377 and 378 and

simultaneously after carrying out measurement and survey, boundaries of Survey No. 375 were to be demarcated, the impugned notice dated 03.01.2023 only makes reference to the measurement to be carried out in respect of Gat Nos. 377 and 378.

7. Accordingly, communication dated 23.01.2023 is set aside.

8. The DSLR to carry out the measurement in terms of directions dated 21.12.2022 which are on page no. 45 of the paper-book.

9. The charges for the said survey measurement are to be borne by the Petitioners.

10. With the above observations, the Writ Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)