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

WRIT PETITION NO. 154 OF 2026

Shri Sunil Prabhakar Kakade ... Petitioner
V/s.
Deputy Director of Land Records,
Pune Region, Pune and ors. ... Respondents

Mr. Abhijeet P. Rane, for the Petitioner.
Smt. Ashwini A. Purav, AGP for the Respondents No. 1 to 3 and 5.

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

DATE : 7th JANUARY 2026

PC:-

1. By this Petition, the Petitioner challenges a notice dated 19/12/2025 issued by the City Survey Officer No.1, Pune for measurement of the land. It is the contention of the Petitioner that Respondent No.4 is trying to encroach on the portion of the land which the Petitioner claims as belonging to him.

2. The date fixed for measurement was 05/01/2026. However, as objection was raised by the Petitioner, the City Survey Officer is likely to proceed with the measurement next week. It is the contention of learned counsel for the Petitioner that the entire basis for the City Survey Officer in proceeding with the measurement is on an incorrect premise, as according to the Petitioner, it is the Map No. 424 of 1966 which is in existence, that has to be the basis for proceeding with the measurement. It is the

contention of learned counsel for the Petitioner that the City Survey Officer is proceeding with some Map of 1992 which is not the correct basis, as the earlier Map of 19/11/1966 is still holding the field and not yet cancelled.

3. Learned counsel for the Petitioner also relied upon the Judgment and Decree dated 15/11/1997 passed by the Joint Civil Judge and Junior Division, Pune in RCS No. 124 of 1995 filed by the Petitioner against Respondent No.4 wherein Respondent No.4 has been permanently restrained from making encroachment on eastern side of Petitioner's plot the description of which is mentioned in Para 1 of the Plaint, other than due process of law.

4. Against the impugned notice, it is open for the Petitioner to avail appropriate remedy in law, as the Petitioner had preferred an Appeal before the State Government under Section 257 of the Maharashtra Land Revenue Code, 1966, challenging some action regarding the measurement taken on the earlier occasion.

5. Keeping liberty of the Petitioner open to challenge the notice before the appropriate forum, the Petition is disposed of.

6. All contentions are kept open. However, for a period of 8 weeks from today, the City Survey Officer shall defer any action to measure the land.

(S.M.MODAK, J.)

(M.S. KARNIK, J.)