

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.946 OF 2026
IN
WRIT PETITION NO.15195 OF 2025

SATISH
RAMCHANDRA
SANGAR

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Arun Nana Gavte

...Applicant

In the matter between:-

Reliable Infra Project Pvt. Ltd.
Through Authorised Representative,
Mr.Mangesh Shivapurk

...Petitioner

V/s.

The State of Maharashtra and Ors.

...Respondents

Mr.Chintan Shah a/w Mr.Suyog Bagde, Advocates for Applicant.
Mr.Saurabh Butala, Advocate for Petitioner.
Mr.N.C.Walimbe, Addl.G.P. a/w Mr.S.P.Kamble, AGP, for Respondents-
State.
Mr.Prashant Chawan (Sr.Advocate) a/w Ms.Kinjal Jain i/b. Navdeep
Vora and Associates, Advocates for Respondent Nos.6 and 7.
Mr.Rohit A. Jadhav i/b. Mr.Vishal P. Shirke, Advocate for Respondent
No.8

CORAM : M.S.KARNIK &
S. M. MODAK, JJ.

DATE : 13th MARCH 2026

P. C. :-

1. Heard learned counsel for the Applicant.
2. It is the grievance of the Applicant that this Court while passing the order dated 5th January 2026 has not taken into consideration the

order passed by the learned Single Judge of this Court dated 22nd January 2025 in Writ Petition No.750 of 2025. Reading of the order dated 22nd January 2025 passed by the learned Single Judge of this Court, makes it clear that the issue before the learned Single Judge was *“as regards the identification of the acquired land with a view to verify whether any portion of the land of Respondent No.3/4 (Petitioner herein) has been acquired or not”*. In that context, in paragraph Nos.2 and 3, the learned Single Judge observed thus:-

“2) Mr.Patil, the learned counsel appearing for the Petitioner would complain that pendency of the proceedings initiated by Respondent No.3/4 is resulting in delay in disbursement of compensation. He would submit that though the order was passed on 5 September 2024 envisaging measurement to be carried out within all 15 days, such measurements are still not carried out. In that view of the matter, the District Superintendent of Land Records, Thane is directed to forthwith implement the order dated 5 September 2024, if not already implemented by completing the exercise of measurement on or before 15 February 2025. All rights and contentions raised by the Petitioner about maintainability of the proceedings initiated by Respondent No.3/4 are expressly kept open and no opinion is expressed by this Court on merits of the case.

3) *If after conduct of measurements it is found that no portion of land of Respondent No.3/4 is acquired, the SDO shall forthwith release the compensation of the acquired land in favour of persons in whose name the award is made.”*

3. Therefore, it is obvious that the learned Single Judge had issued certain directions as regards the conduct of measurements of the acquired portion.

4. Learned counsel for the Petitioner is justified in submitting that the order of the learned Single Judge was very much part of the present Writ Petition. In fact, in paragraph No.3, the submission of learned counsel for Reliable Infra Project Pvt. Ltd. has been recorded that *“though the map was prepared, the survey of the acquired portion has been carried out recently”*. Therefore, there is no conflict between the order of the learned Single Judge and order passed by this Court for which, the review is sought.

5. In paragraph No.4 of the order under review, it is observed that *“the Respondents have to update the revenue records in respect of the acquired portion and non-acquired portion of Gut No.95/1”*. Further it is observed that *“the Respondents have to properly assess the demarcated boundary of the acquired portion in the revenue record expeditiously”*. In such view of the matter, we have only directed the

Authorities to take a decision on such application for the purpose of updating the revenue records and properly assess the demarcation of the boundaries of the acquired portion of the subject land in the revenue records. It is obvious that the measurement carried out pursuant to the order passed by the learned Single Judge will have to be taken into consideration when it comes to updating the revenue records so far as the acquired portion.

6. It is the contention of learned counsel for Petitioner that so far as the non-acquired portion is concerned, the Applicant has no concern. In such view of the matter, it is open for the Applicant to take appropriate steps in accordance with law when the Authorities proceed to take appropriate action so far as non-acquired portion is concerned. The interim order stands vacated. The Respondents to comply with the order passed by this Court. The representation which was directed to be decided, be now decided expeditiously.

7. With this clarification, the Application is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)