



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

WRIT PETITION NO.3413 OF 2025

[Anand S/o Ramchandra Pisal Vs. Union of India, through its Divisional Railway Manager,
Nagpur and others]

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

Court's or Judge's order

Dr. (Mrs.) R.S. Sirpurkar, Counsel for Petitioner.
Shri S.A. Chaudhari, Counsel for Respondent No.1.
Shri N.S. Rao, Assistant Government Pleader for Respondent No.3.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 6th JANUARY, 2026.

1. The dispute in the present petition is how much area the Railway has acquired from the land owned by the petitioner. There are two reports of the Deputy Inspectors of Land Records. The first report dated 6th March, 2020 discloses that 11.00 square meters of land is acquired by the Railway from the land owned by the petitioner. Whereas, the subsequent report dated 8th April, 2025 discloses that 787.86 square meters of land is utilized by the Railway. Admittedly, while carrying out the second measurement, the Railway Authorities were not present. The discrepancy in both the reports is evident.

2. In the circumstances, the only way-out to resolve the dispute is to carry out the joint measurement in presence of the Railway Authorities and the petitioner, to find out how much land the Railway has acquired/utilized of the land owned by the petitioner. If it is found at the end of the measurement that the excess land of 11.00 square meters is acquired/utilized by the Railway, the respondents can be directed to pay the compensation for such excess land.

3. Thus, with the aforesaid directions, the petition can be disposed of.

4. Accordingly, we pass the following order :

(i) The petition is disposed of with a direction to the Deputy Inspector of Land Records to carry out the joint measurement in presence of the petitioner and the Authorities of the Railway, of the land in question to find out the exact area of the land acquired/utilized of the land owned by the petitioner.

(ii) The Railway shall pay the amount of such measurement.

(iii) After carrying out the joint measurement, if it is found that the Railway has acquired the excess land than 11.00 square meters as mentioned in the Award, the Railway shall pay the amount of compensation to the petitioner for the said excess land.

(iv) Such payment shall be made to the petitioner within a period of eight months from the date of such measurement.

(v) If it is found that no excess land is acquired by the Railway, the petitioner shall pay half of the charges of the said measurement to the Railway.

(vi) In case of subsistence of any dispute after measurement, liberty is granted to both the parties to raise such dispute before the appropriate forum by filing appropriate proceedings.

(vii) The measurement be carried out at the earliest and in any case within a period of two months from today.

(viii) The learned Assistant Government Pleader for the respondent No.3 makes a statement that if the Deputy Inspector of Land Records receives such application, he will act upon expeditiously.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)