

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**SUIT (L) NO.27379 OF 2025**

Pratiek Plaza Co-operative  
Premises Society Limited  
V/S  
Rishabraj Estate Developers Pvt. Ltd. & Ors.

....Plaintiff  
....Defendants

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**WITH  
INTERIM APPLICATION (L) NO.27382 OF 2025  
IN  
SUIT (L) NO.27379 OF 2025**

Pratiek Plaza Co-operative  
Premises Society Limited  
IN THE MATTER BETWEEN  
Pratiek Plaza Co-operative  
Premises Society Limited  
V/S  
Rishabraj Estate Developers Pvt. Ltd. & Ors.

....Applicant  
....Plaintiff  
....Defendants

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**Mr. Amogh Singh** with Mr. Nirav Karia i/b Mr. Bhavin Bhatia *for the Applicant/Plaintiff.*

**Mr. Bishwajeet Mukherjee** *for Defendant No.1.*

**Mr. Harshwardhan Karande** i/b Mr. Vishwanath Patil for Defendant No.2/SRA.

**Mr. Rakesh Pathak, AGP** *for Defendant Nos.3 and 4.*

**Mr. Rohit Gaikwad** i/b Ms. Komal R. Punjabi for Defendant Nos.5 & 6/MCGM.

Mr. Ravindra R. Pawar, Maintenance Surveyor, City Survey Officer, Malad Office present in Court.

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**CORAM : SANDEEP V. MARNE, J.**  
**DATE : 7 OCTOBER 2025.**

**P.C.:**

1. Heard the learned counsel appearing for parties.
2. For better appreciation of dispute at hand, in my view, it is necessary to carry out measurement in respect of plots bearing CTS Nos.1394-A, 1394-B and 1394-C. Carrying out such measurement would enable the Court to have the exact location of Recreational Ground (**RG**) being CTS No.1394-B as well as the exact portions of such recreational ground in possession of Plaintiff-Society and Defendant No.8/Society.
3. It appears that the Plaintiff-Society had already filed an Application before City Survey Officer on 17 December 2024 for effecting measurement in respect of land bearing CTS No.1394-B and 1394-C. However, on account of noncompliance with the requisitions made in letter dated 30 December 2024 apparently the City Survey Office has not been able to effect such measurement. However, instead of measuring only CTS Nos.1394-B and 1394-C, it would be appropriate that all the three plots bearing CTS Nos.1394-A, 1394-B and 1394-C are forthwith measured by the City Survey Office.
4. The Plaintiff shall accordingly file an Application before City Survey Office, Malad for carrying out measurement of land bearing CTS Nos.1394-A, 1394-B and 1394-C within two days. The City Survey Officer shall proceed to carry out measurement of all the three CTS numbers without insisting for any letter from Municipal Corporation or

for order of sub-division. The City Survey Officer shall demarcate the boundaries of all the three CTS numbers. After ascertaining the exact boundaries of RG bearing CTS No.1394-B, the City Survey Officer shall also indicate in the map the portions in respective possession of Plaintiff-Society and Defendant No.8-Society in respect of CTS No.1394-B. The measurement fees shall be borne by the Plaintiff and shall be deposited in the City Survey Office within a period of one week. The necessary survey action shall be carried out by the City Survey Office and completed within the outer limit of 31 October 2025. The survey plan shall be presented before the Court on the next date of hearing.

5. List the Application for further consideration on 10 November 2025.
6. Defendant Nos.1 and 8 shall extend all necessary co-operation for completion of survey and measurement.

**(SANDEEP V. MARNE, J.)**

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signed by  
SUDARSHAN  
RAJALINGAM  
KATKAM  
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