

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

72 CONTEMPT PETITION NO. 60 OF 2018  
IN WP/7363/2013

MOHAMMAD MOINODDIN S/O. MOHD. AZIMODDIN ANSARI  
VERSUS  
PRIYA PATIL AND OTHERS

.....  
AGP for Respondent-State : Mrs. M. A. Deshpande  
Advocate for Respondent No.3 : Mr. S. S. Bora  
.....

**CORAM : MANGESH S. PATIL AND  
ABHAY S. WAGHWASE, JJ.**

**DATED : 17 APRIL 2023**

**PER COURT :-**

1. Heard learned Advocate Mr. Bora as well as learned APP.
2. None present for the petitioner.
3. By the order dated 24.03.2015, we had directed the Deputy Superintendent of Land Records, Parbhani to carry out survey of the land bearing survey no. 574 and to submit a report to the Collector, Parbhani and to the Municipal Corporation, Parbhani within stipulated time. We had further directed the concerned authority to take appropriate action in accordance with law on the complaint of the petitioner regarding the alleged encroachment over the land

survey no. 574 within six months from the date of receipt of the report from the Deputy Superintendent of Land Records.

4. The then Deputy Superintendent of Land Records, by communication dated 11.03.2018, informed this Court about having carried out the measurement. Accepting the statement, the respondent nos. 1 and 2 were discharged from the proceeding which was dropped as against them.

5. However, it appears that subsequently the authorities found that the measurement that was carried out by the DSLR was improper inasmuch as it merely demonstrated the construction standing in that survey number but no specific encroachment was pointed out, in spite of correspondence.

6. Issue simple notice to the present Deputy Superintendent of Land Records. Learned AGP waives service and seeks time.

7. Stand over to 19.06.2023.

**[ABHAY S. WAGHWASE, J.]**

**[MANGESH S. PATIL, J.]**