

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
IA 5-6 & 7-8 in CIVIL APPEAL NO. 6211 OF 2013

ASHOK

Appellant (s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

(With appln(s) for directions, exemption from filing O.T. and permission to file Additional documents and office report)  
I.A.No(s).11 and 12 in I.A.No.5 (Appln.(s) for permission to file additional documents and exemption from filing O.T.)  
I.A.No(s).9 and 10 in I.A.No.5

Date: 10/09/2013 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR  
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Appellant(s) Mr. Jayant Bhushan, Sr. Adv.  
Mr. Dilip Annasaheb Taur, Adv.  
Mr. Anil Kumar, Adv.

For Respondent(s) Mr. Sanjay Kharde, Adv.  
Ms. Asha Gopalan Nair, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Heard.

We do not see any reason to modify our order dated 29th July, 2013 especially when measurements have already been recorded by the Committee of Officers nominated by the Chief Engineer pursuant to our order dated 29th July, 2013. These applications are accordingly dismissed.

We however make it clear that this order shall not prevent the appellant from seeking any further redress including redress by way of fresh measurement from a competent civil court in any civil action that the petitioner may file for recovery of damages/compensation. In case an application for fresh measurement is indeed made the court concerned may consider the same on its merits and pass appropriate orders in accordance with law.

We make it clear that we express no opinion as to the merits of any such prayer or the contention that a fresh measurement needs to be taken in the facts and circumstances of the case.

|(Mahabir Singh)  
| Court Master

|(Veena Khera)  
| Court Master