

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

Writ Petition No.3702 of 2013

(Pannalal Raghoji Gurhadikar

vs.

The State of Maharashtra, thr. its Secretqry and others)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri A.A. Naik, Advocate for the Petitioner.

Shri S.M. Uke, Additional Government Pleader for Respondent Nos.1&2.

Shri A.A. Kathane, Advocate for Respondent Nos.3&4.

CORAM : B.P. DHARMADHIKARI AND
P.N. DESHMUKH, JJ.

DATE : OCTOBER 23, 2015.

Heard Shri Naik, learned Advocate for petitioner,
Shri Uke, learned Additional Government Pleader for respondent
Nos.1 and 2 and Shri Kathane, learned Advocate for respondent
Nos.3 and 4.

Perused the orders passed by this Court from time to
time, particularly order dated 07/11/2014. Also perused
counter affidavit filed on behalf of respondent No.4 vide Stamp
No.11216/2015.

Respondent No.4 has stated that the street on which
bypass road was to be constructed has been declared as National
Highway and accordingly respondent No.4 will be constructing a
National Highway upon it.

Prayer in the petition is to direct respondent Nos.1 to 3 to utilize the lands acquired from petitioners and other individuals for the purpose of construction of outer ring road connecting State Highway No.249 to National Highway No.69.

In view of this prayer, learned Counsel for petitioners state that it is not very clear whether the lands of petitioners are being used for the said purpose, Advocate Shri Kathane as also learned Additional Government Pleader point out that compensation for subject land has been determined and petitioners can receive it.

It is not necessary to go into any other controversy at this stage. The respondents are using land acquired by them for constructing a National Highway upon it. As such, if the petitioners find that their lands have not been used for the said purpose and if any of their legal rights are violated, they can always make suitable grievance in accordance with law before the Competent Court.

Needless to mention that fact of determination or payment of compensation and other allied aspects having bearing on the controversy can be raised by respondents while defending such proceedings.

Therefore, keeping all such contentions of the parties open, we dispose of the writ petition.

JUDGE

JUDGE