

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1315 OF 2016

Kisan s/o Sarjerao More & others

Petitioners

Versus

State of Maharashtra & others

Respondents

Mr.V.D.Salunke, advocate for petitioners
Mr.S.K.Kadam, A.G.P. for Respondents.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 03rd February, 2016**

PER COURT:

1 Leave to add District Collector, Jalna, as party respondent.

2 The grievance raised by petitioners is in respect of widening of major district road passing through Mantha city.

3 Petitioners contend that PWD authorities have wrongly fixed central line of the road and branded petitioners as encroachers.

4 The contention raised by petitioners has been disputed by Respondent-authorities.

5 Since petition involves disputed questions of facts, we deem it appropriate to relegate petitioners to the Collector, Jalna, who, after extending an opportunity of hearing to both the parties, shall determine the issue. If petitioners tender representation

within a period of one week from today, the Collector, after hearing both the parties, shall pass appropriate order and may issue necessary instructions, within a period of two weeks from the date of receipt of representation.

6 Till the issue is decided by the Collector, Respondent-authorities shall not take any coercive action against petitioners.

7 With the directions as above, writ petition stands disposed of.

A.I.S.CHEEMA
JUDGE

adb/wp131516

R.M.BORDE
JUDGE