

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.2770 of 2012

Shankarsing s/o Laxmansingh Hazari
and others

Petitioners

Versus

State of Maharashtra & others

Respondents

Mr.S.S.Gangakhedkar, advocate for petitioners.
Mr.V.M.Kagane, AGP for Respondent No.1.
Mr.A.M.Karad, advocate for Respondents No.2 & 3.

**CORAM : R.M.BORDE &
K.L.WADANE, JJ.
DATE : 27th June, 2016**

PER COURT:

1 An affidavit-in-reply has been presented on behalf of Respondent-Municipal Corporation wherein it has been stated that property of the petitioners is affected by development plan and is required for road widening. It is further stated that the Corporation would observe procedure prescribed under law for taking over the property of the petitioners for public purpose.

2 In view of the statement made in the affidavit-in-reply, grievance raised by petitioners stands redressed.

3 Respondent-Corporation, during pendency of the petition, has deposited a sum of Rs.27,32,625/- in this Court. There is no serious objection on behalf of the petitioners for permitting Respondent-Corporation to withdraw the amount. In

view thereof, Respondent-Corporation is permitted to withdraw the amount deposited in this Court.

4 Keeping open an option to the petitioners to avail of the remedies available in law, in the event of accrual of fresh cause of action, writ petition stands disposed of.

K.L.WADANE
JUDGE

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R.M.BORDE
JUDGE