

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 1360 OF 2017**

Shaikh Muneeruddin Masihuddin  
and others .. Petitioners

**Versus**

The State of Maharashtra and others .. Respondents

**WITH  
WRIT PETITION NO. 126 OF 2017**

Mohmad Nasim Ahmed and another .. Petitioner

**Versus**

The State of Maharashtra and others .. Respondents

**WITH  
WRIT PETITION NO. 109 OF 2017**

Mahmad Abdul Sadequh Mahmad  
Khadir and another .. Petitioners

**Versus**

The State of Maharashtra and others .. Respondents

Shri V. D. Sapkal, Advocate for the Petitioner.  
Mrs. M. A. Deshpande, Addl.G.P. for the Respondent No. 1.  
Shri S. S. Tope, Advocate for Respondent Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA AND  
K. L. WADANE, JJ.  
DATE : 09TH FEBRUARY, 2017.**

**PER COURT :**

. Mr. Sapkal, the learned counsel for petitioners submits that, the respondent Nos. 2 and 3 are taking possession of the petitioners' property without following due process of law under the garb of road widening.

2. Mr. Tope, the learned counsel for the Municipal Corporation on instructions states that, the corporation would always adhere to the due process of law before taking possession of the writ lands.

3. It is trite that, the owner/occupier of the land cannot be dispossessed without adherence to the due process of law. In view of the statement made that the respondents would follow due process of law before taking possession from petitioners in respect of writ property, no further orders are required. The writ petitions are disposed of. No costs.

**[ K. L. WADANE, J. ]**

**[ S. V. GANGAPURWALA, J. ]**