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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1686 OF 2017
IN
WRIT PETITION NO.13353 OF 2016

Robert Marsalin Dias & Ors. ...Applicants /
...Petitioners

V/s.

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO.2759 OF 2011

Jagannath Kusaji Sawant ...Petitioner

V/s.

The State of Maharashtra & Ors. ...Respondents

Mr.Vedchetan Patil for Applicants / Petitioners in Writ Petition
No.13353 of 2016.

Mr.A.B. Vagyan, G.P. with Mr.V.N. Sagare, A.G.P. for
Respondent – State.

Mr.Uday Warunjikar for Petitioner in Writ Petition No.2759 of
2011.

**CORAM : DR.MANJULA CHELLUR, C.J. &
N.M. JAMDAR, J.**

DATE : 9TH OCTOBER, 2017

P.C. :-

1. At this stage, we are of the opinion that since under the National Highways Authority of India Act, a remedy is provided in case of a dispute, the civil application need not be considered here. The petitioners are at liberty to approach the concerned authority under the National Highways Authority of India Act raising their objection with regard to payment of money to Devi Sansthan, who, according to the petitioners, has a limited interest in the property, that is only broad use / revenue benefit is extended to Devi Sansthan.
2. The civil application is accordingly disposed of.
3. List Writ Petition No.13353 of 2016 along with Writ Petition No.2759 of 2011 after six weeks.

(N.M. JAMDAR, J.)

(CHIEF JUSTICE)