

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

**PUBLIC INTEREST LITIGATION NO. 95 OF 2014
RIYAZ USMAN SHAIKH
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

None for the petitioner.

Mr.A.B. Girase, Government Pleader for R-1.

Mr.S.S. Tope, Advocate for R-2 & 3.

**CORAM : S.S.SHINDE &
S.M.GAVHANE, JJ.**

DATED : 03.04.2018

P.C. :-

1. When this Public Interest Litigation (for short "PIL") is called out, none appears for the petitioner. This PIL is filed with following prayers :-

"B) That by issuing appropriate writ, order or direction in like nature the respondent no.2 and 3 may kindly be directed to construct 40 meters wide road as per the development plan (20 meters on both the sides) from Kranti Chowk to Station Road, and for that if any illegal construction is there that deserves to be demolished.

C) That by issuing appropriate writ, order or direction in like nature the respondent Nos. 2 and 3 may kindly be directed to decide the petitioner's representation dated 10.04.2014 and 04.07.2014 at Exh.C within stipulated period and to remove encroachment and construct the 40 meters wide road as per the development plan."

2. Pursuant to the notices issued to the respondents, the respondent – Corporation has filed reply. In para 4 of the reply, it is stated thus :-

“I say that, from Kranti Chowk to Osmanpura (Gopal Tea Center) yet the process of land acquisition is yet to be completed for making the width of 40 meters. On the existing road Concrete Pavement and B.T. Paven are constructed and the work of RCC Median is in final stage. As yet the work of acquiring land is not completed the width of 40 meters as per the Development Plan is not available, however as early as the acquisition proceedings are completed the complete 40 meter wide length would be made available so also the Foot Paths will be developed. The process for acquisition of land is already started and for that purpose paper publication was given on 02.08.2014. xxxxxx”

3. In view of the statements made in the affidavit-in-reply and the specific statements made in para 4 of the said reply, in our opinion, the grievance raised in the present PIL stands redressed.

4. The PIL stands disposed of.

[S . M . GAVHANE , J .]

[S . S . SHINDE , J .]