

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

BENCH AT AURANGABAD.

WRIT PETITION NO.13679 OF 2017

Shri Digambar Lalchand Mahale
and others. ... Petitioners.

Versus

The State of Maharashtra
and others ... Respondents.

...

Mr.D.S.Bagul, advocate for the petitioners.
Mr.S.G.Karlekar, A.G.P. for the State.

...

**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVAL, JJ.**

Date : 12.03.2018.

PER COURT :

1. Learned counsel for petitioner submits that initially Highway No.6 (Surat-Nagpur) was existing. The Respondents have expanded the Highway and provided four lane facility. Even Respondents have constructed (Mumbai-Agra) Highway viz; National Highway No.3. The same is

also four lane. Learned counsel submits that the Respondents without initiating acquisition proceedings have taken the land.

2. Learned A.G.P. submits that petitioner No.1's land is only affected by acquisition. The road connecting to National Highway 6 is now converted into State Highway and the existing single lane road was converted into double lane road and the State Highway is passing through forest land. It is further submitted that for a part of the land owned by petitioner No.1 further proceedings are initiated. Joint measurement is being undertaken and advance amount is also deposited.

3. Joint measurement has yet to take place. At the time of joint measurement, the petitioners can represent before the authorities about the land being affected in the acquisition. The joint measurement be done within six (6) weeks. The same would be considered by the authorities.

4. If after joint measurement, the petitioners have any grievance, they are at liberty to agitate afresh.

5. The Writ Petition is accordingly disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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