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

WRIT PETITION NO.14917 OF 2017

Ashok s/o Nivruti Jaybhaye,
Age: 65 years, Occu: Agriculture,
R/o. Gadhi, Tq. Georai,
Dist. Beed ..PETITIONER

VERSUS

1. The State of Maharashtra
through Collector, Beed
2. The Competent Authority,
National Highways/Sub Divisional
Officer (Land Acquisition),
Beed ..RESPONDENTS

Mr V. A. Dhakne, Advocate for petitioner;
Mr S. S. Dande, A.G.P. for respondent No.1

**CORAM : PRASANNA B. VARALE &
RAVINDRA V. GHUGE, JJ.**

DATE : 11th SEPTEMBER, 2018

ORAL ORDER :

Heard learned Counsel appearing for the
petitioner.

2. The matter was posted before us yesterday.
The petitioner is owner of agricultural land

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situated in District Beed at Village Gadhi, Tq. Georai. It is the submission in the petition is that the said piece of land is adjacent to National Highway No.211. The grievance of the petitioner is, the measurement of the land is carried out and though this exercise was undertaken, no compensation is awarded to the petitioner. Thus, the petitioner prays that the respondent-authorities be directed to hold the fresh joint measurement of the acquired land from Gut No.668, situated at Village Gadhi, Tq. Georai, Dist. Beed along with structure of two storeyed RCC building admeasuring 66 x 33 and further prays that the valuation be carried out on the basis of said joint measurement. Then there is a interim prayer.

3. Perusal of the order sheet shows that on 20th December, 2017, notice was issued to the respondents, making the same returnable on 5th January, 2018. Learned A.G.P. waived service of notice for State of Maharashtra.

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4. Today, the learned A.G.P. placed before us the copy of panchnama carried out by the authorities, same is taken on record and marked as 'X' for identification. The copy of the panchnama clearly shows that an exercise of measurement of the land was undertaken in presence of the petitioner. A panchnama shows site and also bears signatures of the panchas and petitioner. Orally it was submitted by the learned Counsel for the petitioner that this measurement is undertaken of the land Gat No.668 and exercise of measurement of the adjacent land was not taken.

5. We are not inclined to entertain the petition, which is filed only on assumptions and presumptions. When revenue authorities undertook the exercise of measurement of the land showing the details, such as, length and width of the land, signature of the panchas and above all signature of the land owner i.e. petitioner, the approach to this Court by way of present petition and seeking directions to remeasure the land is not

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sustainable. The petitioner is certainly having other remedies open for him to raise the grievance and he is not precluded to avail such remedy before the competent forum including any other judicial forum.

6. Considering all these facts, we are of the opinion, the petition is thoroughly meritless and deserved to be dismissed at threshold and same is accordingly dismissed.

(RAVINDRA V. GHUGE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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