

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 6652 of 2016

Mr. Balu Namdeo Gadge & ors. ... Petitioners

V/s.

Chief Executive Officer & ors. ... Respondents

Mr. Afroz A. Siddiqui for the petitioner.

Ms. Kavita N. Solunke, AGP for respondent no.3.

Lata
Sunil
Panjwani

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***CORAM : NARESH H. PATIL AND
G.S. KULKARNI, JJ.***

23rd July, 2018.

P.C.

The petitioner challenges Notice of eviction issued under Section 26(2) of the Control National Highway (Land and Traffic Act, 2002) dated 31st March, 2016. The learned Counsel submits that a representation was already made. Reliance is placed on Revenue Entry made by Talathi, Dapoli. The notification and the order communication made by Tahsildar office, Panvel dated 17th January,

1988 has not been annexed to the petition.

2. In case the representation has been made by the petitioner, the petitioner may press the representation before the appropriate authority concerned. The authorities would deal with the representation, if pending, on its own merits.

3. Keeping all issues on merits open, Writ Petition stands disposed of.

4. It is clarified that we have not expressed any opinion on merits of the case.

(G.S.KULKARNI, J)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.