

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

WRIT PETITION NO.2712 OF 2019

Mukund Shankar Halwai

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr Amol Gandhi, Advocate h/f Mr P.S. Mehta, Advocate for petitioner

Mr S.B. Yawalkar, A.G.P. for respondents no.1 and 2

Mr A.B. Dhongade, Advocate for respondent no.3

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 30.09.2019

ORAL ORDER :

1. The petition, it appears is pre-mature. It is submitted that notification under Section 3 sub-section (ii) of the National Highways Act, 1956 is issued. The hearing has not taken place on the objection raised by the petitioner.
2. Learned Counsel for the petitioner accepts that declaration is not yet issued.
3. In view of that, the petition is pre-mature. The petitioner would have cause of action, if his objection is rejected and further declaration by 3 (D) of the Act is sought to be issued.
4. Writ Petition stands disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)