

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

93 WRIT PETITION NO.8302 OF 2019

**SANJAY SHRIRANG MAGAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Bhise Bhausaheb B.
AGP for Respondents/State : Mr. K.B. Jadhavar.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 08/07/2019

PER COURT :

1. Learned counsel for the petitioner submits that the acquisition was under the National Highways Act, 1956. The objection was raised. The competent authority ought to have referred the dispute to Civil Court. The Civil suit filed by the petitioner is dismissed.
2. In view of the fact that the civil suit filed by the petitioner is dismissed, the competent authority could not have pass any contrary order. It is contended that petitioner has filed an appeal. The petitioner may seeks relief in the pending appeal, as may be permissible in law.
3. Writ petition is disposed of. No costs.

(MANGESH S. PATIL, J.)
mkd

(S. V. GANGAPURWALA, J.)