

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10780 OF 2018

EKNATH ASHRUBA SUPEAKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner :

Mr. Shubham Jayabhar h/f. Mr. Jayabhar D. R.
AGP for Respondents No. 1 to 4 : Mr. P. S. Patil
Advocate for Respondent No. 6 : Mr. S. S. Deve

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.

DATE: 12th APRIL, 2019

PER COURT :

1. We have heard Mr. Jayabhar, learned counsel for the petitioner and Mr. Deve, learned counsel for respondent no. 6.

2. Respondent no. 6 has filed *affidavit in reply*. Paragraphs no. 4 and 5 of the affidavit in reply reads thus -

"1. ...

2. ...

3. ...

4. *I says and submits that, the land of petitioner is proposed for acquisition for*

the widening of the National Highway no. 361/F and after following the due processes of acquisition, the respondent will pay the compensation to the petitioners.

5. I says and submits that, the national highway authority is widening the said road Loha – Gangakhed – Parali – Beed – Kharwandi. Earlier the said road was called as district highway, the said district highway was in exist since more than 30-35 years, now the additional land which is required for National Highway purpose is proposed for acquisition. The said process is going on as per the National Highway Act 1956 and accordingly the steps has been taken by the Respondent.

In the light of the above facts and circumstances it is submitted that, the compensation amount as per the award will be paid to the all concerned after receipt of amount. In view of the above facts and circumstances the present writ petition is devoid of merits and hence same may be dismissed in limine in the interest of justice."

3. In view of the affidavit in reply filed, the apprehension of the petitioner stands redressed.

4. Writ Petition stands disposed of accordingly.

No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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