

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11953 OF 2018

Feroz Khan Issaq Khan Pathan and Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. S.N. Pagare, Advocate for Petitioners
Mr. P.S. Patil, Additional Government Pleader for
Respondent/State
Mr. S.V. Adwant, Advocate for Respondent No. 4

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 3rd APRIL, 2019

ORAL ORDER:

1. Mr. Pagare, the learned Counsel for the petitioners submits that the land of the petitioners under acquisition is an irrigated land, but the respondents are treating it as a giryat land. They are computing less compensation.

2. Mr. Adwant, the learned Counsel for respondent No. 4 submits that the Award has been passed under the provisions of the National Highways Act and the petitioners have remedy. They are to take remedy before the appropriate authority under the National Highways Act. In view of that, it would be open for the petitioners to avail remedy as may be permissible under law before the appropriate authority.

3. In that case, all the contentions of the respective parties are kept open.

4. The Writ Petition is disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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