

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 993 OF 2018

SIDRAM BABURAO DHANURE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner :
Mr. G. R. Syed h/f. Mr. Biradar Manoj G.
AGP for Respondents No. 1 to 4 :
Mr. G. L. Deshapande
Advocate for Respondent No. 5 : Mr. P. R. Tandale
Advocate for Respondent No. 6 : Mr. S. S. Panale

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

DATE: 28th FEBRUARY, 2019

PER COURT :

1. We have heard Mr. Syed, learned Advocate for the petitioner and the respective Advocates for the respondents.

2. Respondent no. 6 has filed *affidavit in reply* saying that whatever encroachment was existing, same has been removed from the road, however, the petitioner wants 25 feet wide road. The road in existence is not 25 Feet. According to the learned

Advocate for the petitioner, today it is 10 feet wide road.

3. It is for the Authority to consider the feasibility, viability and the necessity of widening the road. No such directions in the present matter considering facts of the present case can be given. The petitioner contends that, he has also made representation in that regard to the Divisional Commissioner.

4. In case it is within the province of the Divisional Commissioner, the Divisional Commissioner shall decide the said representation within a period of six (06) months, on its own merits.

5. The amount of Rs.25,000/- deposited by the petitioner be returned to him.

6. Writ Petition stands disposed of accordingly.

No costs.

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