

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

WRIT PETITION NO. 3010 OF 2019

Shivraj Maroti Patil and others

.. Petitioners

Versus

Union of India and others

.. Respondents

Mr. Umakant B. Deshmukh, Advocate for the Petitioners.

Mr. A. B. Dhongade, Advocate for Respondent Nos. 1, 3, 4 and 5.

Mr. S. B. Yawalkar, Addl. G. P. for Respondent No. 2.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 12th FEBRUARY, 2020.

PER COURT:-

. Heard Mr. Deshmukh, learned counsel for the petitioners and Mr. Dhongade, learned counsel for respondent Nos. 1, 3, 4 and 5 and the learned Addl. G. P. for the respondent No. 2.

2. According to petitioners initially the award was passed and the lands were acquired for the State Highway. Now the same is being converted into National Highway and the width of the road is increased to 30 meters from 18 meters. Without acquisition the respondents are doing construction work.

3. According to the respondents, the State Highway already existed and the same road is being repaired and reconstructed and the width of

the said road is not expanded.

4. It appears that, the petitioners had approached the Collector, Nanded with their grievances of lands being affected. Pursuant thereto the Deputy Collector (Land Acquisition) has communicated the Sub Divisional Officer cum Land Acquisition Officer Degloor to take necessary steps and communication is also made by the Sub Divisional Officer to the Executive Engineer, National Highway Department to consider applications of petitioners and to make necessary enquiry in that regard.

5. It would be appropriate for the respondent Nos. 2 to 4 to make necessary enquiry pursuant to the applications of the petitioners so also with regard to measurement and take decision as to whether lands of the petitioners are affected in national highway. The petitioners may produce the documents on which they rely. The respondent Nos. 2 to 5 after petitioners produces necessary documents, shall take decision upon grievances of petitioners within a period of three (03) months from today. The writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.