

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3840/2017

(MADHUA KR GAJANAN KAMDE & ANOTHER **VERSUS** STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri G.N. Khanzode, counsel for petitioners.
 Shri A.M. Joshi, A.G.P. for R-1 & 2.
 Shri V.N. Morande, counsel for R-3.

CORAM : A.S. CHANDURKAR AND VINAY JOSHI, JJ.

DATE : JANUARY 27, 2020.

The petitioners claim compensation for the alleged acquisition of land admeasuring 0.25 R by the respondent no.3- Municipal Council.

According to the petitioners, without acquiring that land the same has been utilized for construction of a road. It is the case of the petitioners that they are entitled for market value of land admeasuring 0.25 R.

On behalf of the respondent no.3, reference is made to the application dated 25.04.2016 issued by the petitioner no.2 in which it is stated that 0.8 R land is taken up by the Municipal Council while the petitioners are in possession of 0.25 R land. We find that there are various disputed questions that arise and the adjudication of those disputed questions would not be permissible in writ jurisdiction. The petitioners are free to approach the Civil Court for redressal of their grievance and for seeking appropriate relief.

Keeping all questions open, the writ petition is dismissed.
 No costs.

(VINAY JOSHI, J.)

(A.S. CHANDURKAR, J.)