

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

WRIT PETITION NO. 2859 OF 2021

Bhagwat Kondiba Khedkar and others .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

AND

WRIT PETITION NO. 2884 OF 2021

Arjun Sukhdeo Khedkar and others .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

AND

WRIT PETITION NO. 3168 OF 2021

Shivaji Laxman Nimbalkar and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Shashikant E. Shekade, Advocate for Petitioners in all matters.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1, 2, 6 to 8 in W. P. No. 2859 of 2021 and W. P. No. 2884 of 2021.

Shri A. B. Dhongade, Advocate for Respondent Nos. 3 to 5 in W. P. No. 2859 of 2021 and W. P. No. 3168 of 2021.

Shri R. B. Bhosale, Advocate for Respondent Nos. 3 to 5 in W. P. No. 2884 of 2021.

Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1, 2, 6 to 8 in W. P. No. 3168 of 2021.

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

DATE : 17TH FEBRUARY, 2021.

FINAL ORDER :

. Mr. Shekade, the learned advocate for petitioners submits that, without initiating acquisition proceedings, the respondents are constructing the road from the lands of the petitioners. According to the learned counsel, since the year 2018 representations are given by the petitioners, however, no cognizance is taken and now respondents want to dispossess the petitioners from their legitimate possession of land.

2. Mr. Dhongade and Mr. Bhosale, the learned advocates appear for respondent Nos. 3 to 5 in respective writ petitions and submit that, construction would be made in accordance with law and policy. Affidavit is also filed. The learned advocates for respondent Nos. 3 to 5 on instructions submit that, the respondent No. 3 would decide the representations of the petitioners within a period of four (04) weeks from today.

3. Said statement made by the learned advocates for respondent Nos. 3 to 5 is accepted. The respondent No. 3 shall decide the representations of the petitioners on their own merits, in accordance with law and policy, expeditiously and preferably within a period of four (04) weeks from today. Depending upon the decision taken by the respondent No. 3, the parties are at liberty to take up further steps. In that case, all contentions are kept open.

4. In the light of the above, the writ petitions are disposed of.
No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Feb. 21