

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

931 WRIT PETITION NO.4428 OF 2016

**SADASHIV KISAN KHEDKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioners : Mr. Thombre S. S.
AGP for Respondent/s-State : Smt. V. N. Patil-Jadhav.
Advocate for Respondent Nos.2 & 3 (Standing Counsel) :
Mr. R. R. Bangar.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 13.10.2021

PER COURT :-

1. The learned advocate for the petitioners submits that in identical set of facts and concerning the same road, this court has delivered an order dated 16.09.2021 in Writ Petition No.12879 of 2016 filed by Trimbak Pandharinath Kapare Vs. The State of Maharashtra and another and in Writ Petition No.12890 of 2016 filed by Surekha Jagannath Kharat Vs. The State of Maharashtra and another.
2. The learned advocate representing respondent Nos.2 and 3 has gone through the said order and submits that the same

directions can be issued in this matter.

3. In view of the above and for the reasons set out in the order dated 16.09.2021, we pass the following order :

- (a) This Writ Petition is partly allowed.
- (b) The public project of laying the road on National Highway No.222 (Tisgaon – Pathardi – Kharwandi – Midsangavi – Padalsingi Road – State Highway No.144), shall be completed.
- (c) In the event, the lands to which the petitioners have right, title and interest, are to be utilized for such laying of the road, which is being purportedly termed as road widening project, they shall not be dispossessed without following the due process of law.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-