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

917 Writ Petition No.9111 of 2021

Govind Ramji Kahalekar	.. Petitioner
Versus	
The State of Maharashtra and Others	.. Respondents
...	

AND

919 Writ Petition No.9113 of 2021

Smita Madhavrao Kahalekar	.. Petitioner
Versus	
The State of Maharashtra and Others	.. Respondents
...	

AND

921 Writ Petition No.9115 of 2021

Uttam Venkatrao Kahalekar	.. Petitioner
Versus	
The State of Maharashtra and Others	.. Respondents
...	

AND

931 Writ Petition No.9125 Of 2021

Mallyabai Pandurang Potewad	.. Petitioner
<u>Versus</u>	
The State of Maharashtra and Others	.. Respondents
...	

AND

946 WRIT PETITION NO.9140 OF 2021

Balaji Vithal Kahalekar	.. Petitioner
Versus	
The State of Maharashtra and Others	.. Respondents
...	

950 WRIT PETITION NO.9144 OF 2021

Mallu Datta Potewad	.. Petitioner
Versus	
The State of Maharashtra and Others	.. Respondents
...	

Mr Vikram S. Kadam, Advocate for the Petitioners in all the matters
Mr A.R. Kale, AGP for the Respondents – State in WP Nos.9111 of 2021,
9113 of 2021, 9125 of 2021, 9144 of 2021
Mr P.K. Lakhotiya, AGP for the Respondents - State in WP No.9115 of 2021
Mr S.K. Tambe, AGP for the Respondents - State in WP No.9140 of 2021
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**CORAM : S. V. GANGAPURWALA
AND
R.N. LADDHA, JJ.**

DATE : 21-08-2021

PER COURT : -

1. *Prima facie* the writ petitions would not be maintainable. The petitioners have already resorted to the remedy before the Civil Court. The civil suits filed by the petitioners seeking injunction are pending. It is submitted that, in the said civil suits, joint measurement was also directed. The report is also filed in the said civil suits. It is for the petitioners to proceed further and get decided as to the actual area which has been affected in the road widening. It is the Civil Court which can come to that conclusion, more precisely, as the said report will have to be proved before it.

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2. After the actual alleged area is culled out of being affected, then the petitioners can pray for further directions in the matter.

3. With this clarification, the Writ Petitions are disposed of. No costs.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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