

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

WRIT PETITION NO. 12983 OF 2021

GURUNATH VITTHAL BOMBADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Petitioner : Mr. V.C. Valse
h/f. Mr. T.M. Venjane
AGP for Respondent-State : Mr. K.N. Lokhande

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.
DATED : 29.11.2021**

PER COURT :

1. It is submitted that without passing the final order the Tahsildar directed for the clearance of the road. The proceedings are pending.

2. On the last date, we directed learned AGP to take instructions. Learned AGP, on instructions, submits that the interim order was passed subject to the final decision in the proceedings and pursuant to the impugned order, the road was cleared. According to the petitioner, work was done on some part of the land of the petitioner.

3. Be that as it may, it has been stated that further hearing is kept on 30.11.2021, after hearing, spot inspection

would be done and the judgment would be delivered.

4. The authority is required to adhere to the procedure as prescribed under the Act. The authority shall decide the proceedings in accordance with the provisions of the statute and upon following the principles of natural justice on its own merits.

5. Writ Petition is disposed of. No costs.

(R.N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)

S.P.C.