

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

935 WRIT PETITION NO.13253 OF 2021

**ANIL NARAYAN BADNE AND OTHERS
VERSUS
THE DISTRICT COLLECTOR, LATUR AND ANOTHER**

...

**Advocate for Petitioners:
Mr. Munde Sambhaji Gopinathrao
AGP for Respondent No. 1: Mr. S. B. Pulkundwar
Advocate for Respondent No. 2: Mr. A. B. Dhongade**

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

DATE: 02nd DECEMBER, 2021

PER COURT:

1. The Petitioners are challenging the communication dated 16.11.2021, wherein the notice is issued for hearing by the Competent Authority.

2. The learned Counsel for the Petitioners states that the Petitioners had also filed a Writ Petition before this Court challenging the order passed by the Competent Authority rejecting the Objection filed by the Petitioner U/Sec. 3(H)(4) of the National Highways Act, 1956. The learned Counsel submits that the matter is still pending before this Court and the Court has also granted

interim order, fresh notice could not have been issued by the Competent Authority.

3. If, the Writ Petition is filed by the Petitioners against the order rejecting the Objection is pending before this Court then, the Petitioners ought to have taken steps in the pending Writ Petition and not by way of separate Writ Petition.

4. The Petitioners are at liberty to take steps in the pending Writ Petition as may be permissible.

5. Writ Petition as such is disposed of. No costs.

[R. N. LADDHA, J.]
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[S. V. GANGAPURWALA, J.]