

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

WRIT PETITION NO.11838 OF 2016

**BHAGWANRAO YASHWANTRAO BORUDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for the Petitioner : Shri Thombre S.S.
AGP for Respondent 1 : Shri S.B.Yawalkar
ASGI for Respondent 2 : Shri A.G.Talhar

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

DATE :- 29th October, 2021

Per Court :-

1. In identical matters, this Court has passed an order on 16.09.2021 (Writ Petition Nos.12879/2016 and 12890/2016). This petition was not listed on 16.09.2021 and was, therefore, left out.

2. In view of the above and considering the above stated contentions of the petitioner, for the reasons set out in the order dated 16.09.2021, this Writ Petition is partly allowed on the same terms, which read as under :-

(a) 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.

(b) 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.

kps (S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)