

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5718 OF 2021**

Rajendra K. Mali ... Petitioner
V/s.
The State of Maharashtra and ors. ... Respondents

Mr. Ajay A. Joshi for the Petitioner.
Ms M.S. Bane, AGP for the Respondent – State.
Mr. Mahesh Rawool i/b Mr. A.B. Avhad for
Respondent Nos.11 to 14.
Mr. Purushottam G. Chavan for Respondent No.7.

**CORAM : PRASANNA B. VARALE &
N.R. BORKAR, JJ.
DATE : 07.10.2021.**

P.C.

- 1] Heard the learned counsel for the petitioner.
- 2] By this petition, the petitioner prays the following reliefs:

“A] This Hon’ble Court by issuing appropriate writ or order or direction may please to call for record and proceeding of the order dated the 9 September 2019 passed by the respondent before Exhibit L, and after scrutinizing its validity propriety and legality, this Hon. Court may please to quash and set aside the said impugned order.

B] This Hon’ble Court by issuing appropriate writ or order or direction may please to direct the respondent not to forward the objection/dispute raised by the petitioner to the Principal Civil Court of original jurisdiction at Mohol for appropriate decision forth with.

C] This Hon. Court by issuing appropriate writ or order or direction may please to direct the respondent number 4 not to disburse any amount of compensation to the respondent number 7 to 14 till the decision of the Civil Court to be taken on the reference made by the respondent number 4."

3] Shri. Subhash R. Murde, respondent No.7 filed affidavit-in-reply dated 18.2.2021. In paragraph 13.J, it is stated that respondent No.4 – Sub Divisional Officer and Land Acquisition Officer, Pandharpur referred the dispute in respect of subject land in Reference No. 30 of 2020 to Civil Judge Senior Division, Solapur under section 3(H) 4 of National Highways Act, 1956. In view of this statement, nothing survives in the present petition. The learned counsel for the petitioner also admitted this factual position.

4] In view of statement referred above, Writ Petition is disposed of. Needless to state that the interim order stands vacated.

(N.R. BORKAR, J.) (PRASANNA B. VARALE, J.)