

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

927 WRIT PETITION NO.4226 OF 2022

**CHANDRAKANT SURYABHAN JAGTAP AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr.Jayabhar Dattatraya R.
AGP for Respondents-State : Mr.A.R.Kale

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**CORAM : RAVINDRA V. GHUGE, &
ANIL L. PANSARE, JJ.**

DATE : 29th JUNE, 2022

PER COURT :

1. We have considered the submissions of the learned counsel for the petitioners. It is their contention that the respondents are likely to take possession of their lands by violating the process of law. They are living in their lands, along with their constructed houses and shops, which are likely to be demolished.

2. Considering the submission of the petitioners and upon perusal of the record available, we find that the disputed issue as regards the encroachment is likely to crop up since the impugned notices indicate that even the petitioners have resorted to construction abutting Adhalgaon- Jalgaon- Jamhked National Highway.

3. In view of the above, the learned Advocate for the petitioners submits that the petitioners would apply for joint measurement of lands at issue.

4. As such, this petition is disposed off.

5. If the petitioners apply for joint measurement of their lands, the authority undertaking the measurement would ensure that the authorized representatives of the Highway Authorities would be issued with notices, so as to cause measurement in the presence of all the concerned parties.

(ANIL L. PANSARE)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE