

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

922 WRIT PETITION NO.2452 OF 2021

RAOSAHEB MADHAV JADHAV AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Avinash M. Nagarkar.

AGP for Respondents-State : Mr. P. S. Patil.

Advocate for Respondent Nos.7,9,12 : Mr. S. B. Parnere.

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**CORAM : R. D. DHANUKA, AND
S. G. MEHARE, JJ.**

DATE : 10.03.2022

PER COURT :-

1. By this petition filed under Article 226 of Constitution of India, the petitioners have prayed for writ of Certiorari for quashing and setting aside the extension of diversion of development of Village Road No.64 to the Village Road No.10 of village Sangvi, Bhusar, Taluka Kopargaon, District Ahmednagar and further seeks writ of Mandamus to execute the work of Village Road No.64 of village Sangvi Bhusar, Taluka Kopargaon, District Ahmednagar by virtue of Government Resolution dated 02.02.2019.

2. Learned counsel for respondent Nos.7, 9 and 12 and invited our attention to the averments made in the paragraph

No.4 of the affidavit-in-reply dated 21.06.2021 and submits that on the date of filing of the said affidavit, the work of the road in question was in progress and 50% work was already completed. He further submits that after filing of the said affidavit dated 21.06.2021, funds have been sanctioned by the State Government as per Government Resolution dated 17.09.2020. It is submitted that the work of the roads which was sanctioned by the State Government and more particularly at serial Nos.12, 14 and 15 of page 106 of the petition is already completed. Statement is accepted.

3. Learned counsel for the petitioners states that in view of the statement made by the learned counsel for the respondents, he seeks liberty to withdraw this petition. Leave granted. This petition is disposed off as withdrawn.

4. No order as to costs.

(S. G. MEHARE, J.)

(R. D. DHANUKA, J.)

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vmk/-