

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

924 WRIT PETITION NO.434 OF 2022

**DADA VITHAL SANGALE & OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...

Advocate for the petitioners : Mr.S.B.Choudhari
AGP for Respondent-State : Mr.S.K.Tambe

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**CORAM : S.V.GANGAPURWALA &
S.G.DIGE, JJ.**

DATE : 11.01.2022

P.C. :

1] Mr.Choudhari, learned Advocate for the petitioners contends that the details of the available ROW are mentioned in corrigendum no. 4 to the tender notice. As per the same, ROW is only 4, 6, 7 and 8 meters. The respondents cannot expand width without acquiring properties of the affected persons. The petitioners have apprehension of expanding ROW.

2] The respondents in corrigendum no.4 have specifically mentioned the available ROW is 4, 6, 7, 8 10 and 14 meters. If the respondents are expanding width without adhering to the due process, then the petitioners would have every right to agitate their case. Today, apprehension is not founded from the facts on record.

3] In view of that, the Writ Petition is disposed of.
No costs.

If the respondents are expanding width of the road without process of law, petitioners may agitate their grievance afresh. In that event, all the contentions are kept open.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

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