

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12987 OF 2022

KESHAV BABURAO VIGHE AND OTHERS
VERSUS
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

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Mr. Y. S. Choudhari, Advocate for petitioners

Mr. Sadanand S. Deve, Advocate for respondent Nos. 1 and 5

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CORAM : MANGESH S. PATIL AND
Y. G. KHOBRAGADE, JJ.

DATE : 19.12.2022

PER COURT :-

Heard.

2. The petitioners are coming with following prayers:
“B. By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature of writ, the respondent authorities may kindly be directed not to initiate acquisition proceedings in view of measurement map dated 17.07.2018 and Nimtana Measurement map dated 05.08.2022.

C. By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature of writ, the respondent No.2 may kindly be

directed to initiate Departmental Enquiry as against the respondent No. 5 to 7 for the illegal measurement as well as illegal compensation paid to the respondent No.9 and 10.”

3. When we expressed our disinclination and inability to go into the factual disputes regarding the measurement maps on the basis of which acquisition proceedings are being taken out by the respondent No.5 who is competent authority under the National Highways Act, the learned advocate for the petitioners submits that the petitioners would approach the respondent No.5 with a representation/application pointing out all the practical difficulties and expect the respondent No.5 to take into consideration the issues being raised by the petitioners.

4. The learned advocate Mr. Deve, who appears for respondent Nos. 1 and 5 submits that the petitioners may approach the respondent No.5 with appropriate application/representation and he would take decision in accordance with law after hearing them.

5. We dispose of the writ petition permitting the petitioners to approach respondent No.5 along with appropriate application/representation, which he shall consider and decide after hearing them.

[Y. G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]