

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8299 OF 2022

Sambhaji Bhagwan Pawar and Ors.

.. Petitioners

Versus

Union of India and Ors.

.. Respondents

.....

Mr.Hrishikesh S. Shinde, Advocate for the Petitioners.

Mr.Suresh Kumar, Advocate for Respondent No.1.

Mr.N.K. Rajpurohit, AGP for the Respondent No.2–State.

.....

**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATED : 16 September 2022.

P.C. :

Heard learned counsel for the parties. The petitioners
has prayed for the following reliefs.

*“(b) That this Hon’ble Court by issuing Writ of
Mandamus or a Writ in the nature of Mandamus or
any other appropriate Writ, Order or Direction in the
nature of Writ of Mandamus thereby directing the
Respondents to provide underground tunnel at
Barshi–Dadshinge Road, Chain Bearing No.32925
near vicinity of Barshi between Latur to Kurduwadi
Railway Lines;*

(c) That this Hon'ble Court by issuing Writ of Mandamus or a Writ in the nature of Mandamus or any other appropriate Writ, Order or Direction in the nature of Writ of Mandamus thereby directing the Respondents to provide parallel road (within the acquired area of railway line) from southern side of Barshi–Kurduwadi railway line between Kasarwadi Road to Solapur Road at railway line KM No.409/1 to 410/5,6;”

2 The above prayer show that the Petitioners seeks a Writ of Mandamus directing the Respondents to provide an underground tunnel and a parallel road. This direction is sought through Court to Central Government, Railways and the State Government. It is not possible for us to envisage the ground realities that may be involved in providing such infrastructure as sought for by the Petitioners, and this issue will have to be looked into by the concerned authorities. Therefore, we direct that treating this Petition as representation on behalf of the Petitioners, the concerned Authorities of the Railways if it is feasible and practicable to do so, will look in the issues raised by the Petitioners sympathetically and take necessary action, as early as possible.

3 Writ Petition, is accordingly, disposed of.

SHARMILA U. DESHMUKH, J.

NITIN JAMDAR, J.