

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

908 WRIT PETITION NO.2668 OF 2022

**SANDU BANSI THENGADE
VERSUS
THE UNION OF INDIAN THROUGH THE SECRETARY AND OTHERS**

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Advocate for Petitioners : Mr. Patil Prakashsing B.

AGP for Respondents/State : Mr. S.B. Yawalkar

Advocate for R/1 & 4 : Mr. A.N. Patale

Advocate for R/3 : Mr. D.S. Manorkar

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**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.**

DATE : 6th June, 2023

PC. :-

1. Vide order dated 20.03.2023 passed by this Court, the National Highway Authority of India was directed to carry out the measurement of the disputed area and bear the measurement charges. It is pursuant to the said direction that the measurement has been carried out by the Deputy Superintendent of Land Record, Khultabad and a report dated 25.04.2023 has been placed before us. It no longer remains a matter of dispute that 9 R land was in the possession of the petitioner and 7 R land has been utilised in the project. 2 R land has not been utilised.

2. The learned advocate for the petitioner submits on instructions that since the petitioner intends to challenge the measurement before the competent Civil Court or any other authority as may be permissible in law, he prays for disposal of this petition.

3. In view of the above, since the petitioner intends to challenge the measurement report dated 25.04.2023, this petition is **disposed off**. Needless to state, the petitioner would be at liberty in accordance with the provisions of law.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]