

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

WRIT PETITION NO. 10476 OF 2019

MOHAN SHANKARRAO PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
905 WRIT PETITION NO.2090 OF 2020

SUDARSHAN CHANDRAKANT PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
911 WRIT PETITION NO.11337 OF 2022

UDHAV KANHAYALAL BHAVLE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA, THROUGH ITS SECRETARY
AND OTHERS

...

Mr. Balbhim R. Kedar, Advocate for Petitioners
Mr. P. S. Pati,, Mr. P. K. Lakhotiya, AGPs for Respondents State
Mr. P. S. Pawar, Advocate for Respondent No.2 in WP/11337/22

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.
DATE : 6th September, 2023

ORDER:

1. In all these matters, the issue is as regards expanding the width of road so as to convert it into a major State highway.
2. In Writ Petition No. 11337/2022, according to the Petitioners, a cart way of 6 feet width has been converted into a 12 meters width

road. Standing crops and trees are likely to be destroyed for the said road, being laid under the Pradhan Mantri Gram Sadak Yojana.

3. In Writ Petition No. 10476/2019 and Writ Petition No. 2090/2020, according to the Petitioners, a narrow road of 10 meters width of 1972 has now been converted into a major State highway of 30 meters width.

4. In several matters, this Court has consistently passed orders directing the parties to refer to the revenue records and carry out a joint measurement, if not already carried out and after perusing the records, if any portion of the land of the claimants, having a right, title and interest, is utilized for such project, they would be entitled for compensation.

5. In view of the above, **these Petitions are disposed off** with the directions that if the projects set out in the Petitions, eventually cause loss of land or property of the Petitioners, in the light of the revenue records and the measurements, these petitioners would be entitled for compensation and the Competent Authority would be liable to initiate the process for acquisition and grant of compensation in accordance with law. Needless to state, if there is no measurement carried out, a joint measurement of the property of the Petitioners shall be carried out

in their presence with an advance notice to all concerned and Respondent Nos.2 and 3 shall bear the cost of such measurement.

6. All contentions of the parties are kept open.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan