

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

1031 WRIT PETITION NO.7917 OF 2019

**RAMESH SUNDARLAL AWASTI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Suhas P. Urgunde
AGP for Respondent – State : Mr. S.B. Yawalkar
Advocate for Respondent Nos.3 & 4 : Mr. U.B. Bondar
...

**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 17-03-2023

PER COURT :

. This petition can be conveniently disposed of based on the observations made in Writ Petition No.4022 of 2019 decided on 20.01.2022.

2. The aforesaid judgment is based on the set of facts wherein the alignment of the national highway was disputed as against the claim of the petitioner / land owners therein, wherein this Court has directed the authorities - acquiring body to carry out the joint measurement.

3. In this view of the matter, we dispose of the present petition with directions to the respondent no.4 to agree for joint measurement if such request is moved by the petitioner within a

period of four weeks from today. If such request is moved by the petitioner to the respondent no.5 for joint measurement at the costs of the petitioner, such request be attended by the respondent no.5 in accordance with law.

4. In case if during such joint measurement the claim of the petitioner of his land being affected by the widening of the road is established, we expect the respondent authority to take appropriate steps in the matter when the acquisition of the said land affected by the alignment of the road.

5. With the above observations, writ petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)