

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

915 WRIT PETITION NO.4565 OF 2023

NARAYAN VISHNU PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

916 WRIT PETITION NO.4566 OF 2023

KALPANABAI PRAKASH PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

917 WRIT PETITION NO.4567 OF 2023

PRABHAWATI SAMBHAJI PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

918 WRIT PETITION NO.4608 OF 2023

MANISH SAMBHAJI PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

920 WRIT PETITION NO.4663 OF 2023

YUVRAJ PRALHAD PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

921 WRIT PETITION NO.4664 OF 2023

SHAKUNTALABAI SHALIKRAM PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

922 WRIT PETITION NO.4667 OF 2023

VILAS PANDIT PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

923 WRIT PETITION NO.4668 OF 2023

PRAMILABAI SHRIRAM PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

925 WRIT PETITION NO.4671 OF 2023

RAJMAL NAMDEV PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

927 WRIT PETITION NO.4691 OF 2023

ANANT PRATAP THAKARE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

928 WRIT PETITION NO.4692 OF 2023

SAMBHAJI JANARDHAN PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

929 WRIT PETITION NO.4693 OF 2023

BIPIN WAMAN PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

AND

930 WRIT PETITION NO.4694 OF 2023

POONAM RAMESH KHODPE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Advocate for Petitioners in all the matters : Mr. Vijay Y. Patil
AGP for Respondent-State in WP Nos.4565 of 2023,
4691 of 2023, 4668 of 2023 : Mr. P.K. Lakhotiya
AGP for Respondent-State in WP Nos.4566 of 2023,
4692 of 2023, 4663 of 2023: Mr. S.G. Sangle
AGP for Respondent-State in WP Nos.4567 of 2023,
4664 of 2023, 4671 of 2023 and 4693 of 2023 : Mr. A.R. Kale
AGP for Respdt-State in WP Nos.4608 of 2023, 4667 of 2023,
4694 of 2023 : Mr. S.B. Pulkundwar

...

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

DATE : 21-04-2023

PER COURT :

. It is the contention of learned counsel for petitioners in all these petitions that respondents have carried out development activities viz. strengthening and widening of the Jamner-Neri-Jamner road no. 41, without there being any acquisition proceedings as the lands of petitioners are affected because of the alignment of the said road.

2. Learned counsel for petitioners submits that the road was already in existence as could be inferred from the communication issued by respondent no.3.

3. After having gone through the contents in the petitions and the available documents, it is difficult to infer the nature of encroachment as the details of such encroachment are not provided by petitioners viz. as to what extent the lands of petitioners are affected because of the alignment of the road under development.

4. In the aforesaid backdrop, we are not inclined to cause indulgence at this stage of the matters. However, in case if petitioners approach respondent authority with a prayer for joint measurement at their own costs, the same be carried out in

accordance with law.

5. In such an eventuality viz. the lands of petitioners are affected by such widening of the road, it shall be open for petitioners to approach respondent authority seeking compensation and the prayer so made by petitioners be decided in accordance with law.

6. Writ petitions accordingly stand disposed of.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)

GGP