

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

WRIT PETITION NO.9424 OF 2019
WITH WP/4056/2021 WITH WP/9511/2019

SANDU RAGHUNATH SHINDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
AND

WRIT PETITION NO. 4056 OF 2021

VANDANA JANARDHAN SUSTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.

...
AND

WRIT PETITION NO. 9511 OF 2019

LAXMAN JAIRAM DHOKLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.

...

Advocate for Petitioners : Mr. Sonaji K Adkine
AGP for Respondent Nos. 1,2,5 and 6: Mr. S.B. Pulkundwar,
Advocate for respondent No.4 : Mr. Shrimant Munde.

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

DATE : 20th APRIL, 2023

P.C.:-

The petitioners who claim to be owners of respective agricultural lands described in the petitioner are seeking compensation as it is claimed that the respondents unauthorizedly encroached on the

stripe of land abutting the road passing in front of the lands of the petitioners. According to Mr. Adkine, though the measurement was carried out, authorities have not mentioned about the width of the road, encroached portion etc.

2. Counsel for respondents would oppose the prayer.

3. We have appreciated the rival claims in the matter. The claim in the petition is too vague to understand as the petitioners are unable to establish the width of the existing road, the area encroached upon by the respondents for the purpose of widening of the existing road and the extent to which the land of the petitioners is affected. In the aforesaid background, the only option open to the petitioners is to get their lands jointly measured and then to approach the authorities for award of compensation.

4. In view of the above, in case if the petitioners approach the respondent authorities, after measurement is carried at the cost of the petitioners, the respondent authorities shall deal with the claim of the petitioners, in accordance with law.

5. With the aforesaid observations, all these petitions stand disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

[NITIN W. SAMBRE]
JUDGE

grt/-