

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

938 WRIT PETITION NO.3008 OF 2023

**BABU IMAM RATNPARKHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA RURAL DEVELOPMENT AND OTHERS**

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Advocate for Petitioners : Mr. S. S. Kazi
AGP for Respondents/State: Mr. S. B. Yawalkar

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

DATE : 16.03.2023

PER COURT :

1. Heard.
2. The prayer of the petitioners is for initiation of land acquisition proceedings and payment of compensation.
3. The petitioners so as to substantiate claim has placed on record a measurement plan and the notices issued by him.
4. The said document cannot lead this Court to draw an inference that the land of petitioners is subject to acquisition, subjected to encroachment by any of the respondents by constructing the road.
5. That being so, no case is made out. The petition stands dismissed.
6. However in case, the petitioners are in possession of any of the documents demonstrating their title, and can establish the facts based on the documentary evidence as regards, the construction/passing of the public road from their property, they shall be at liberty to take out fresh proceedings.

(S. G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE, J.)