

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

3 WRIT PETITION NO.13359 OF 2019

SAYVVABAI BHUMGONDA KOLNURE AND OTHERS  
VERSUS  
THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioners : Mr. Gadhe Ganesh A

AGP for Respondents: Mr. A R Kale

Standing counsel for Respondents 1,7 : Mr. B.M. Dhanure

...

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

Dated: April 03, 2023

...

**PER COURT :-**

1. Statement made by the learned counsel for the petitioners that he shall be deleting respondent no.5 forthwith, is accepted.

2. It is the case of the petitioners that their land is affected by implementation of the project of development of National High Way no.16. As such, they have made representations to the acquiring body to start acquisition of the land, which is not considered by the respondents-authorities.

3. We have heard learned counsel appearing for respondent nos.1 and 7 and also the learned AGP for the Respondents-State.

aaa/-

4. When confronted, learned counsel for the petitioners is unable to demonstrate from the record as to the material to infer that their lands are affected by virtue of implementation of National High Way no.16 executed by the respondents authorities. However, learned counsel for the petitioners submit that the petitioners have already approached the respondents authorities with a prayer for joint measurement of their land, which is also not carried out till this date.

5. In this background, learned counsel for petitioners, in response to the Courts query, submits that all the petitioners shall be applying for joint measurement of their land to the office of the Deputy Superintendent of Land Records /competent authority, in any case by 30<sup>th</sup> April, 2023. In case, if such applications are moved before the Deputy Superintendent of Land Records/competent authority, we direct the respondents authorities to extend cooperation with regard to the request of the petitioners for joint measurement. Such prayer for joint measurement shall be processed at the costs of the petitioners. Petition accordingly disposed off. However, it is made clear that, in case in the process of joint measurement, if it is noticed that land of the petitioners is  
aaa/-

affected by virtue of implementation of project by the National High Way Authority, the National High Way Authority must take decision and communicate the same to the petitioners based on such joint measurement; provided they are in agreement with it about the steps taken by them about land acquisition. Such steps shall be communicated to the petitioners within a period of six weeks from the date of receipt of report of joint measurement.

( S. G. CHAPALGAONKAR, J. )

( NITIN W. SAMBRE, J. )

...