

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

**CIVIL APPLICATION NO.740 OF 2023
IN WP/4943/2018**

**HEMRAJ BALCHAND BHUREWAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

...

Mr. Rajendra Mohan Sharma, Advocate for the Applicant.
Mr. S. G. Sangle, AGP for Respondents-State.

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

DATE : 17th MARCH, 2023.

P.C:-

1. For the reasons disclosed in the application, the civil application is allowed.
2. Writ Petition stood restored to the file.
3. In response to the Court's query Mr. Sharma, learned counsel appearing for the petitioner states that the parties are litigation before the Competent Civil Court.
4. Considering the nature of the prayer made in the petition viz. the ownership and entitlement of compensation, we deem it appropriate to grant liberty to the petitioner to contest the claim for entitlement/apportionment of the compensation based on his title to the property under acquisition before the said Court, particularly in view of the pendency of Misc. Civil Appeal

NO.40/2018 and R.C.A. No.153/2018 pending on the file of the learned District Judge.

(S. G. CHAPALGAONKAR)
JUDGE

(NITIN W. SAMBRE)
JUDGE

Devendra/March-2023