



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

WRIT PETITION NO. 15571 OF 2023

**SUHAS SURENDRARAO PIMPALWADKAR AND OTHERS
VERSUS
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS**

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Mr. H. D. Deshmukh, Advocate for Petitioners
Mr. A. B. Girase, Government Pleader for Respondent Nos. 2, 6
and 10 – State
Mr. A. G. Talhar, DSGI for Respondent Nos. 1 and 8

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 20.12.2023

PER COURT :-

1. The Petitioners have put forth prayer clauses [A] to [D] as under:-

“[A] Issue writ of mandamus or any other appropriate writ orders or directions in the like nature, thereby directing the respondents to seek the possession of the land required for acquisition to construct the National Highway No.752 E within the territorial limits of Village Mungi, Tq. Shevgaon, Dist. Ahmednagar by following due procedure of law and for that purpose issue necessary orders.

[B] Issue writ of mandamus or any other appropriate writ orders or directions in the like nature, thereby directing the

respondents to conduct the joint measurement of the National Highway No. 752 E within the territorial limits of village Mungi, Tq. Shevgaon, Dist. Ahmednagar in presence of petitioners and for that purpose issue necessary orders.

[C] Issue writ of mandamus or any other appropriate writ orders or directions in the like nature, thereby directing the respondents to verify the actual width of earlier Principal District Road and its compensation by deducting the area from the revenue records by following due procedure of law and for that purpose issue necessary orders.

[D] Issue writ of mandamus or any other appropriate writ orders or directions in the like nature, thereby directing the respondents not to proceed with the construction of the National Highway No.752 E within the territorial limits of Village Mungi, Tq. Shevgaon, Dist. Ahmednagar without redressing the grievance and publishing the actual area on joint measurement for acquisition and for that purpose issue necessary orders.”

2. Issue notice to the Respondents, returnable on 05.02.2024. The Standing Counsel for Union of India waives service of notice on behalf of Respondent Nos. 1 and 8. The learned Government Pleader waives service of notice on behalf of Respondent Nos. 2, 6 and 10.

3. It be noted that since a public project is involved, we are not staying the project. Nevertheless, we would ensure that an appropriate procedure is followed and if the land of the Petitioner is

being utilized for the public project, they would be entitled for compensation in accordance with the provisions of law.

4. List Writ Petition No.6971 of 2023 along with this Petition on 05.02.2024.

5. All office objections to be removed within four weeks, failing which the Petition would stand dismissed without reference to the Court.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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