

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

51 WRIT PETITION NO.14686 OF 2023

CHANDAN NAMDEO SALVE AND OTHERS
VERSUS
THE UNION OF INDIA
THROUGH MINISTRY OF CIVIL AVIATION AND OTHERS

...

Advocate for Petitioners : Mr. Palodkar Devdatt P.
Advocate for Respondent No.1: Ms. Sudha Chintamani
AGP for Respondent No.5/ State: Mr. P. K. Lakhotiya
Advocate for Respondents 2 to 4 : Mr. N. S. Chaudhari

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 4th December, 2023

ORDER:

1. We have given a patient hearing to the learned Advocate Shri Palodkar and have considered the Petition paper book with his assistance.
2. Certain decisions taken by the Airport Authority of India have been brought to our notice. For the present, expansion plan of the Chikalthana Airport at Aurangabad is not in full swing. It is proposed to resort to expansion on the southern side. The Petitioners' property is in a locality which borders the property of the Airport Authority of India.
3. We have perused the Google Map Satellite Picture at Page 20.

4. In matters of expansion of Airport, it is best left to the wisdom of the authority to decide as to how an Airport should be expanded. In the event the expansion leads to acquisition of the properties of the Petitioners, they are bound to be compensated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. As it is obvious that the properties of the Petitioners are quite far away from the airport and no expansion on the side affecting their land is undertaken, we do not find it appropriate to issue a Writ of Mandamus for acquiring their properties without an expansion.

6. In view of the above, **this Petition is disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan