



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

13 WRIT PETITION NO. 4426 OF 2024

**RASABAI MOTIRAM BHIL DIED THROUGH LRS SURESH
GANPAT THAKRE AND OTHERS**

VERSUS

**THE COMPETENT AUTHORITY THE SUB DIVISIONAL
OFFICER**

...

Shri Mukhedkar Amit A., Advocate for the Petitioners.

Shri R.B. Bhosale, Standing Counsel for Respondent No.1/UoI.

...

**CORAM : RAVINDRA V. GHUGE
&
R.M. JOSHI, JJ.**

DATE :- 30th April, 2024

Per Court :-

1. We have considered the submissions of the learned Advocate for the Petitioners and the learned Standing Counsel for the Union of India. It is undisputed that the tenancy issue has led to a litigation between the parties. The Petitioners as well as the rival parties, who have not been arrayed as the Respondents in this Writ Petition, are before the learned Single Judge Bench in Writ Petition No.9486/2014.

2. In the above backdrop, we cannot accede to the request of the Petitioners that the concerned Authorities should

deal with the disputes raised by the Petitioners under Section 3H(4) of the National Highways Act, 1956, ignoring the pending litigation before the Court.

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

4. As and when the competent Authority takes up the applications/ objections of the Petitioners, all the stakeholders shall be given an opportunity of hearing and the pending litigation would also be kept in focus. We make it clear that we have not expressed any view about the pending applications of the Petitioners.

kps (R.M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)