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6 wp 5278.24

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

6 WRIT PETITION NO. 5278 OF 2024

**BRIJLAL PALIRAM AND SONS THROUGH ITS PARTNER
DAMAYANTI DEVI SHYAMSUNDAR JHUNJHUNWALA
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

AND

40 WRIT PETITION NO. 5328 OF 2024

**BRIJLAL PALIRAM AND SONS MUMBAI THROUGH ITS PARTNER
DAMAYANTI DEVI SHYAMSUNDAR JHUNJHUNWALA
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

AND

53 WRIT PETITION NO. 5341 OF 2024

**BRIJLAL PALIRAM AND SONS MUMBAI THROUGH ITS PARTNER
DAMAYANTI DEVI SHYAMSUNDAR JHUNJHUNWALA
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

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Advocate for the Petitioner : Mr. Narwadkar Mrigesh D.
AGP for Respondents/State : Mr. S.R. Yadav Lonikar
Advocate for Resp. No.4/M.C. : Mr. R. R.Chandak

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

DATE : 10th June, 2024

PC. :-

1. In all these matters, the issue is as regards the Municipal Council sanctioning the layout, almost two decades ago. Grant of land by passing a

resolution, is also questioned. The layout having been granted in favour of one of the Respondents, was utilised. Constructions have been erected. So also, a temple. The dispute is as to whether the layout was correctly granted, whether the land of the Petitioners has been grabbed, whether the constructions could be said to be illegal and whether the Petitioners have a claim for quantified compensation.

2. Having considered the submissions of the learned advocates for the respective sides, the learned advocate for the Petitioners submits that the Petitioners would prefer appropriate proceedings before the Civil Court as may be permissible in law, keeping in view that disputed questions cannot be gone into by this Court.

3. In view of the above, **all these Petitions are disposed off.** All contentions and objections of the litigating parties are kept open, if the Petitioners approach the Civil Court.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]