



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11238 OF 2024

Ramesh Laxmanrav Adhav & Ors.

....Petitioners

Versus

The Union of India & Ors.

...Respondents

.....
Mr. P. R. Katneshwarkar, Sr. Advocate i/b Mr. Anuj A. Fulfagar –
Advocate for the Petitioners
Mrs. Sudha Chintamani – Standing Counsel for Respondent Nos. 1 to 3
and 7
Mr. S. V. Hange – AGP for respondent/State
.....

**CORAM : R. G. AVACHAT
AND
NEERAJ P. DHOTE, JJ.**

DATED : 09TH OCTOBER, 2024

ORDER : - [Per Neeraj P. Dhote, J.] : -

1. Heard learned Senior Advocate Mr. P. R. Katneshwarkar instructed by learned advocate Mr. Anuj A. Fulfagar for the Petitioners and Mr. S. V. Hange, learned AGP for the State.

2. The Petitioners have approached this Court with the contention that their lands shown in the chart in paragraph no. 2 of the Petition, are taken in possession by Respondent Nos. 2 to 4 without following the due procedure of law as contemplated under the National Highways Act, 1956, for the purpose of road widening.

3. It is the contention that similarly situated persons had approached this Court by filing Writ Petition No. 10530 of 2023 and this Court by order dated 24.08.2023, disposed off the Writ Petition. The copy of the said order is enclosed to the Petition at Exh. "C". This Petition can conveniently be disposed off in terms of the said order which runs as follows : -

- "1. Having heard learned Counsel for the parties and having regard to the nature of the grievance raised in this writ petition, we provide that the petitioners shall apply for joint measurement of their lands to the Office of Deputy Superintendent of Land Records/Competent Authority within a month from today and in case such an application/s is/are moved before the Competent Authority, the request of the petitioners for joint measurement of their lands shall be expedited and joint measurement on the spot shall also be conducted.*
- 2. In case, in the process of joint measurement to be conducted under this order by the Competent Authority, it is found that the lands of the petitioners are affected on account of implementation of the project by the National Highways Authority, the Competent Authority shall take decision and communicate the same to the petitioners based on such measurement regarding acquisition of their lands.*
- 3. The expenses of the joint measurement shall be borne by the National Highways Authority. However, in case in the joint measurement, lands of the petitioners are not found*

to be affected by the project Authority, charges of joint measurement shall be paid to the National Highways Authority by the petitioners.

4. *With the aforesaid observations, Writ Petition is disposed of.”*

4. The Petition stands disposed off in terms of the above order dated 24.08.2023.

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE

SG Punde