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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

960 WRIT PETITION NO. 660 OF 2024

DHIRAJ SADASHIV MAID
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE DISTRICT
COLLECTOR AND OTHERS

Mr.S.R.Andhale, Advocate for the Petitioner.
Mr.R.S.Wani, AGP for the Respondent/State.
Ms.Nikita Gore, Standing Counsel for the Respondent/Union of India.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : JANUARY 16, 2024

PER COURT :

1. The impediment for the Petitioner to operate his retail outlet/Petrol Pump is that there is an encroachment allegedly made by Respondent No.8, on the road which is a deceleration lane. Unless that lane is cleared, the Company will not give it's No Objection for the commencement of the business of his retail outlet. He has approached the 5th Respondent for initiating action for clearing the deceleration lane of the encroachment dated 10.04.2023 and subsequently dated 29.08.2023.

2. In view of the above, **this Petition is disposed off.** We direct Respondent No.5 to deal with the representation of the Petitioner by following the due procedure laid down in Law and the said Authority shall ensure that a reasonable opportunity of hearing is given to the Petitioner as well as Respondent No.8 and appropriate steps and procedure shall be followed, as is prescribed in Law for clearing the deceleration lane, within 60 days from today.

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)