



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

WRIT PETITION NO. 11136 OF 2024

MALHARI LAXMAN PIMPLE AND OTHERS
VERSUS
UNION OF INDIA THROUGH SECRETARY MINISTRY OF ROAD AND
OTHERS

...
Advocate for the Petitioners : Mr. A. V. Jadhav and Mr. Pawan Ippar
Standing counsel for Respondent/State : Mr. V. M. Kagane
Advocate for Respondents No.1, 3 and 4 : Mr. Bhushan B. Kulkarni
...

**CORAM : S. G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATE : 26-11-2024

PER COURT:-

1. Heard the learned counsel for the petitioners.
2. Issue notice to the respondents, returnable on 03.01.2025.
3. Mr. Bhushan B. Kulkarni, learned standing counsel waives service of notice for respondents No.1, 3 and 4.
4. The learned A.G.P. waives service of notice for respondent No.7.
5. Considering the issues raised in this case, particularly, the objection by the petitioners under Section 3(c) of the National Highways Act, 1956, various questions as regards the fair measurement, deciding the nature and quality of the lands have been involved. A serious objection has been raised that while

carrying out the joint measurement of the lands, the true picture has not been reflected and the lands of the petitioners though as irrigated were not marked. It has also been submitted that various old trees are standing in the field as well as water pipe lines are also lying in the fields of the petitioners.

6. On the objections raised by the petitioners, the learned standing counsel for respondents No.1, 3 and 4 seeks time to take instructions and file a short affidavit. Time granted.

7. The draft approving authority shall not approve the draft award till the next date.

[SHAILESH P. BRAHME]
JUDGE

[S. G. MEHARE]
JUDGE

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