



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

935 WRIT PETITION NO. 2522 OF 2022
SAKUBAI SHANKAR MHASKE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
941 WRIT PETITION NO. 11894 OF 2022
JAYANT DINESH PATIL MINOR UNDER
GUARDIANSHIP OF FATHER DINESH SUBHASH PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

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Advocate for the Petitioners in both petitions : Mr. Shinde Chandrakant K.
AGP for Respondent/State in WP No.2522/2022 : Mr. S.S.Dande
AGP for Respondent/State in WP-11897/2022 : Mrs. S.S.Joshi

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

DATE : 09 JANUARY 2025

PER COURT :

. Heard the respective counsels.

2. As usual a vague claim of the petitioners is that road which was already in existence has been abruptly widened and their lands adjoining to the widened road had been affected. There is no specific contention in the representations made to the Collector dated 23.10.2020 and 03.02.2022, how and how much lands of the petitioners have been affected. On such vague complaints, the petitioners are seeking direction against the Acquiring body to send

the proposal for acquisition of the land. The person who is aggrieved has to establish the right, title or the effect of the cause of the other side. The writ petitions as well as applications appear silent about it. However believing the statement of the petitioners that due to the widening of roads their lands have been affected and they have already made representation to the Collector in 2020 and 2022, the District Collector, Nandurbar and District Collector, Aurangabad is directed to decide the claim of the petitioners on submitting a detailed applications so the Collector may be able to identify the disputes and if it is found that the lands of the petitioners have been affected by the widening of the road, the concerned Authority that is Acquired Body may be directed accordingly to send the proposal for acquisition, if such land is required for widening the road.

3. The petitioners should submit a detailed application to the respective Collectors within four (04) weeks from today and thereafter the Collector shall endeavour to dispose of their representations within three(03) months thereafter.

4. With above direction both the Writ Petitions stand disposed of.

[SHAILESH P. BRAHME, J.]

[S. G. MEHARE, J.]