



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

WRIT PETITION NO. 3111 OF 2025

Baliram Changdev Bhosale and others.

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Advocate for Petitioner : Mr. S. S. Solanke & M. P. Kale

GP for Respondents: Mr. A.B. Girase

Advocate for Respondent 8 : Mr. B.R. Survase

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**CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

Dated : November 11, 2025

PER COURT :-

1. Present petition has been filed to challenge the order dated 18.4.2024 passed by Respondent no.9 Sub-Divisional Officer, Majalgaon, District Beed, thereby rejecting objections taken by the petitioners on publication of preliminary notification dated 17-23 August 2023 under section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'Act of 2013') is violative of principles of natural justice. Further consequential prayers have also been made.

2. It is not in dispute that, as regards the land owned by the petitioners, previously a notification came to be issued regarding the acquisition. Here, it is to be noted that, after communications prior to publication of notice, it can be seen that the notice came to be issued on 20.7.2023 under the signature of S.D.O., Majalgaon to the petitioners regarding acquisition. It has been objected by the petitioners on 9.10.2023 and it appears that the petitioners, who were given hearing and ultimately that objection has been rejected by impugned order dated 18.4.2024. Now, learned advocate for petitioners relying on a judgment of the Hon'ble Supreme Court of India in case of **Dinesh and others Etc., Versus State of Madhya Pradesh and others** arising out of SLP (Civil) nos.28410-28414 of 2023 decided on 15.5.2024, submit that respondent no.9 cannot be said to be the Authority, who can decide the objection. In fact, he cannot take further proceeding and inspite of pendency of present petition, respondent no.9 proceeded to and declared the Award.

3. First and foremost fact that is required to be noted is that, now the Award is passed and for that purpose, petition in the present form will not be sufficient to give relief to the

petitioners and, therefore, learned advocate for the petitioners with instructions, seeks withdrawal of this Petition, with liberty to challenge the award, by keeping their rights open.

4. In view of the said submissions, petitioners are allowed to withdraw the petition, with the liberty, as prayed. Writ Petition stands disposed off, as withdrawn.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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