



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

933 WRIT PETITION NO. 4528 OF 2022

ANKUSH ABAJI KALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

.....

Advocate for the Petitioner : Mr. Patil Prakashsing B.

AGP for Respondent Nos. 1 to 6 : Mrs. S.S.Joshi

...

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

DATE : 07th JANUARY 2025

PER COURT :

. Heard counsel for the petitioner in morning. Learned counsel for the petitioner made a statement that the land of the petitioner has been acquired. There was an agreement to acquire the land by private negotiation. The statement that the land was acquired and no compensation was paid. We direct learned AGP to verify the facts whether the compensation is paid or not.

2. Learned AGP on instruction states that land of petitioner was never taken in possession. However, learned counsel for the petitioner submits that the land is merged in the project and he cannot cultivate the land. Whether the land is affected or not is a disputed question of fact. If due to the project, land is merged and petitioner is suffering damage, he has a remedy to file a Civil Suit for the damages.

3. For the reasons stated above, Writ Petition stands dismissed.

[SHAILESH P. BRAHME, J.]

[S. G. MEHARE, J.]

vsj