IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15887 OF 2025

Atul Ramkru Gatne ... Petitioner
Versus
The State of Maharashtra & Ors. ... Respondents

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Ms. N. S. Bobade for Petitioner.
Mr. B. V. Samant, Addl. G. P. a/w Mrs. M. S. Bane, AGP for Respondent-State.

BIPIN DHARMENDER PRITHIANI
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CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.
DATE : 18th AUGUST 2026

P.C. :

. On 3rd August 2026, we had passed the following order :

"1. When this Petition is called out for consideration, the learned counsel for the Petitioner submits that a coordinate Division Bench of this Court (G.S. Kulkarni and Aarti Sathe, JJ.), by an order dated 3rd November, 2025, disposed of Writ Petitions raising identical issue concerning the same work order. Copy of the order is tendered for our perusal.

2. Prima facie, it appears that the present Writ Petition can also be disposed of in the light of the said order dated 3rd November, 2025, passed by the coordinate Division Bench of this Court in Writ Petition No. 11199 of 2025 and other connected Writ Petitions.

3. The learned AGP appears for Respondents No. 1 to 6. Respondent No. 7 is the contractor who has been awarded the work order. In that sense, Respondent No. 7 may not have the role of a contesting Respondent as regards the specific reliefs sought by the Petitioner in this Petition.

4. Smt. Bane, learned AGP seeks short adjournment to take appropriate instructions in the matter.

5. In view of above, list the Petition for further

consideration on 10th August, 2026 in the category of 'fresh matters'."

2. The learned AGP has taken instructions from the concerned officers of the State and it is conceded that the petitioner in the present petition is similarly situated like the petitioners in Writ Petition No. 11199 of 2025 (*Govind Narayandas Oza vs. The State of Maharashtra & Ors.*) and connected writ petitions. The said writ petitions were disposed of by a Division Bench of this Court (Coram: G. S. Kulkarni and Aarti Sathe, JJ.) by an order dated 3rd November 2025.

3. A perusal of the said order shows that reliefs sought in the said writ petitions are identical to the reliefs sought by the petitioner in the present writ petition. We find that the petitioner in this petition is also seeking relief in the context of a very same work order dated 31st October 2024, for improvement of State Highway 123 passing through State Highway 160.

4. In the said order dated 3rd November 2025, the Division Bench of this Court considered the reply affidavit filed on behalf of the State and disposed of the writ petitions in the following manner :

"5. In this view of the matter, we keep open all contention of the parties, for due procedure in law to be followed in the event the petitioners' private lands are to be acquired.

6. In the event of any dispute on measurement and/or dispute on title occurs, the parties are at liberty to resort to the appropriate remedies as may be available in law. All contentions of the parties in that regard are expressly kept open.

> *7. We make it clear that we have not delved on any other contentions as raised by the parties. All such contentions of the parties in regard to utilization and acquisition of the land, are expressly kept open.*
>
> *8. The petitions are disposed of in the aforesaid terms. No costs."*

5. In view of the statement made by the learned AGP, on instructions, that the petitioner in this petition is similarly situated like the petitioners in the said writ petitions, we are inclined to grant similar relief to the petitioner herein.

6. Accordingly, we keep open all contentions of the parties, for due procedure in law to be followed in the event the petitioner's private lands are to be acquired.

7. In the event of any dispute on measurement and/or dispute on title occurs, the parties are at liberty to resort to the appropriate remedies as may be available in law. All contentions of the parties in that regard are expressly kept open.

8. We make it clear that we have not delved on any other contentions as raised by the parties. All such contentions of the parties in regard to utilization and acquisition of the land, are expressly kept open.

9. The petition is disposed of in the aforesaid terms. Pending applications, if any, also stand disposed of.

(SHREERAM V. SHIRSAT, J.) (MANISH PITALE, J.)