

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1234 OF 2026

Ganesh Harish Kadlag & Anr.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

Mr. Pramod Patil a/w. Mr. Ashish Gaikwad a/w. Mr. Anirudh Rote
a/w. Ms. Perna Agwekar i/b. Mr. Ashish Gaikwad, for Petitioners.
Mr. Rameshwar N. Gite, for Respondent No. 8.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 25th FEBRUARY, 2026

P.C. :-

1. A Notification dated 27.05.2019 is sought to be assailed
in a Petition filed on 18.10.2025.

2. The learned Advocate appearing on behalf of
Respondent No. 8 submits that possession of the writ land has
already been taken, work orders have been issued, and the project
work has commenced.

3. The learned Advocate for the Petitioners submits that
possession has not been taken and no development has commenced.

The learned Advocate for the Council submits that the DP Plan dates back to 17.09.2016 and that the Municipal Council has already passed a Resolution by majority. It is only these three Petitioners who are aggrieved.

4. The learned Advocate for the Petitioners submits that they are not agreeable to the compensation amount already determined, and that an award has been passed on 10.10.2025.

5. If the Petitioners are aggrieved by the award, or on any other ground, they are at liberty to approach the appropriate forum competent to entertain such a grievance. If these three Petitioners are not inclined to accept the compensation, they cannot obstruct a public project or truncate it merely because they are unhappy.

6. A compilation tendered by the learned Advocate for the Council (37 pages) is taken on record and marked as 'X' for identification. A copy of the award and the work order is also placed on record. The names of the Petitioners, along with their gut numbers and compensation amounts, are mentioned in the award. To be fair to the Petitioners, they are granted liberty to accept the

compensation amount under protest, without prejudice to their rights and contentions, which shall remain open should they desire to challenge the award before the appropriate forum.

7. In view of the above, **this Petition is dismissed.** Liberty to the Petitioners to avail of a remedy as may be permissible in law.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)