

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2318 OF 2025**

Milind Anant Somane and others ... Petitioners

vs.

The State of Maharashtra, Through Secretary,
Public Works Department and others ... Respondents

Mr. Vishal G. Salvi, i/b. Mr. Tejas Pawar and Ms. Suchitra Kamble for petitioners.

Ms. M. S. Bane, AGP for respondent No.1 -State.

Mr. Milind Anant Somane, petitioner No.1 present in person.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ**

DATE : 27th FEBRUARY, 2026

P.C. :

. In this petition, on 15.04.2025, this Court had recorded the statement of the learned AGP, then appearing for respondent-State authority that the reply affidavit would be filed by 09.05.2025. Till date, the same has not been filed and the learned AGP appearing today, does not have proper instructions in the matter.

2. The learned counsel for the petitioners submits that the land belonging to the petitioners was utilized for construction of road and no compensation was made. As far back as on 27.02.2006, the Sub-divisional Engineer of the respondent-State had categorically stated to the predecessors of the petitioners that since part of the land belonging to them had been utilized in construction of road, appropriate steps would be taken to ensure that compensation is paid within one year of the date of the said communication. From that date, 20 years have gone by and yet, there is no sign of any steps

being taken by respondent-State authorities for payment of compensation to the petitioners.

3. The right to property, which is a constitutional right as specified in Article 300A of the Constitution of India and categorized as a human right by the Supreme Court, has been violated in the case of the petitioners.

4. Only as a matter of last chance, we are granting adjournment for the respondents to state before this Court as to what steps they intend to take in the matter, failing which on the next date, this Court would issue necessary directions for determination and payment of just, fair and reasonable compensation to the petitioners for utilization of their land along with such other reliefs, as would be justified for the deprivation suffered by the petitioners in respect of their own property for the last two decades.

5. List the petition for further consideration/disposal on 18.03.2026, to be included in the supplementary list.

(SHREERAM V. SHIRSAT, J)

(MANISH PITALE, J.)