

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

WRIT PETITION NO. 1133 OF 2023

Damodar Joma Khot & Ors. ... Petitioners
Versus
The State of Maharashtra & Ors. ... Respondents

Mr. Atul Damle, Senior Advocate, i/by Mr. Suresh M. Kamble for the Petitioners.

Dr. Dhruti Kapadia, AGP for Respondent Nos. 1 to 3-State.

Mr. G. S. Hedge, Senior Advocate (through V.C.), a/w Ms. P. M. Bhansali for Respondent No.4-CIDCO

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

DATE : 5th FEBRUARY 2026

P.C. :

. In pursuance of order dated 6th January 2026, the petitioners have filed an additional affidavit. They have annexed copy of a map prepared pursuant to measurement undertaken by the concerned State Authority on an application moved by respondent No.4-CIDCO itself. By referring to the said map, the learned senior counsel appearing for the petitioners submits that the proposed road passes through the land belonging to the petitioners in survey No.223/1/A/1.

2. Since the map annexed with the additional affidavit, was prepared at the best of the respondent No.4-CIDCO itself, it

would be necessary that the said respondent appears before this Court and responds to the contents of the additional affidavit, but today there is no appearance on behalf of respondent No.4-CIDCO.

3. In that light, list this petition for further consideration on 9th March 2026 (High on Board).

4. Subsequently, Mr. Hedge, learned senior counsel appeared and submitted that in the light of the additional affidavit filed on behalf of the petitioners, the respondent No.4-CIDCO may have to file an additional affidavit. He submitted that there was some difficulty in joining through video conferencing when the petition was called out.

5. In view of the above, list the petition for further consideration on 9th March 2026 (High on Board).

6. In the meanwhile, the respondent No.4-CIDCO is at liberty to file an additional affidavit, if so advised.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)