

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

**944 WRIT PETITION NO.11072 OF 2021**

**NARAYAN DAGADU FALAKE AND ANOTHER  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

...  
Advocate for Petitioners : Mr. Sushant B. Choudhari  
AGP for Respondent – State : Mr. A.R. Kale  
Advocate for Respondent No.4 : Mrs. A.N. Ansari

...

**CORAM : NITIN W. SAMBRE AND  
S.G. CHAPALGAONKAR, JJ.**

**DATE : 09-03-2023**

**PER COURT :**

1. It is the case of the petitioners that land Gut No.199 situated at village Gandhanwadi, Tal. Patoda, Dist. Beed came to be acquired vide Award dated 14.02.2011.
2. The acquisition was for the public purpose for the construction of the Railway Track by respondent no.4.
3. According to the petitioners, in stead of using the said acquired land, the respondent no.4 has started construction for laying down railway track passing through Gat Nos.203 and 204 admeasuring 24-R each.
4. According to the petitioners, the measurement was

carried court and it was discovered that the development work by respondent no.4 is in land Gat Nos.203 and 204 and not from the land Gat No.199 which was subjected to acquisition on 14.10.2011.

5. In this backdrop, when confronted the learned counsel for the respondent no.4 submits that affidavit-in-reply shall be filed on record in any case by 24.03.2023. In view thereof, stand over to 27.03.2023.

( S.G. CHAPALGAONKAR, J. )

( NITIN W. SAMBRE , J. )

GGP