

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

WRIT PETITION NO. 4168 OF 2015

OMPRAKASH SITARAM AGRAWAL AND ANOTHER
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr.Kale Ajeet B.
AGP for Respondents/State: Mr.V.H. Dighe.
Advocate for Respondent 4 : Mr. Gunale V.D.

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CORAM : S.S. SHINDE & A.M. BADAR, JJ.

Dated: OCTOBER 28, 2015

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Heard learned Counsel for the petitioners and
learned AGP for the respondents No.1 to 3 and
learned Counsel for respondent No.4.

2 Learned Counsel for respondent No.4 has
tendered across the Bar affidavit-in-reply filed on
behalf of respondent No.4. In para 8 of the said
affidavit, it is stated that in the general body
meeting dated 18.1.2013 the resolution No.1478
was passed and it was decided that, for the 30
mtrs. wide road in the development plan the

proposal of acquisition of land of petitioner admeasuring 2400 mtrs. be forwarded to the Collector. The General Body has also accorded sanction for the funds. Accordingly the respondent No.4 has forwarded the proposal to the Collector, Jalgaon with all requisite documents on 13.02.2013 for acquisition of the land as per the provisions of law. Thereafter, on 2.9.2014 again the revised proposal was submitted under the provisions of new Act, 2013 which is within time. In para 12 of the affidavit, it is stated that, the petitioner is already benefited due to frontage on 30 mtrs. wide road, he is also entitled to receive compensation under the Land Acquisition Act, which proceedings are pending before the Collector.

3 The learned Counsel for the petitioner, on instructions, is agreeable to the proposal of the respondent No.4 as reflected in the affidavit-in-reply and in particular, paragraphs 8 and 12 thereof. However, he submits that the entire process of acquisition be completed in a time bound manner.

4 In the light of averments in the affidavit-in-reply, submissions made by the learned Counsel for the petitioner and learned AGP across the Bar, the petition is disposed of with direction to the

respondents to complete the entire acquisition proceedings, as expeditiously as possible; however, within one year from today.

Petition stands disposed of, accordingly.

(A.M. BADAR, J)

(S.S. SHINDE, J)

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