

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 WRIT PETITION NO. 5955 OF 2015

SYED KHAJA VIQUARUDDIN SYED HUSSAIN
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.Thorat Chandrakant R.
AGP for Respondent State:Mrs. M.A.Deshpande

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: June 23, 2015

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PER COURT :-

1. Petitioner claims to have been allotted a plot of land since he is a person affected as a result of acquisition of his property for Jayakwadi Project.
2. Petitioner instituted a suit bearing No.220/2000 claiming possession by removing encroachment alleged to have been made by some private individuals. The suit presented by the petitioner came to be dismissed on 2.11.2002. An appeal carried against the said decision being Regular Civil Appeal No.339/2002 has also been dismissed on 6.12.2004. The decision rendered by the Civil Court has attained finality. The petitioner is claiming his entitlement on the basis of the acquisition of the year 1972. It does appear that the petitioner has not proved allotment of the plot in his favour before the Civil Court. After lapse of more than 40 years, the stale claim presented by the petitioner in this writ petition does not deserve consideration.
3. Writ Petition is devoid of substance and stands rejected.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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agp/-