

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.8846 OF 2012 IN
WRIT PETITION NO.6697 OF 2010

Hanif s/o Vazeer Patel & others

Applicants

Versus

The State of Maharashtra & others

Respondents

Mr.A.S.Zarekar, advocate for applicants.

Mrs.A.V.Gondhalekar, A.G.P. for Respondents No.1 to 6.

Mr.V.D.Salunke, advocate for Respondent No.7.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 04th September, 2015

PER COURT:

This is an application for bringing on record legal representatives of deceased petitioner no.1 and for setting aside abatement as also for condonation of delay occurred in presenting instant application.

Heard. For the reasons recorded in the application, application deserves to be allowed and is accordingly allowed. Legal representatives of deceased petitioner no.1 are permitted to be brought on record. Delay occurred in presenting instant application stands condoned.

Civil Application stands disposed of.

**P.R.BORA
JUDGE**

**R.M.BORDE
JUDGE**

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
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WRIT PETITION NO.6697 OF 2010

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Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr.A.S.Zarekar, advocate for petitioners

Mrs.A.V.Gondhalekar, A.G.P. for Respondents No.1 to 6.

Mr.V.D.Salunke, advocate for Respondent No.7.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 04th September, 2015

PER COURT:

Petitioners are claiming return of land which has already been acquired by the State Government in the year 1970, on the ground that said land has not been utilised for the purpose for which same was acquired.

It is not a matter of dispute that the petitioners have been paid amount of compensation some 45 years back. The possession of land has also been taken while declaring the award. Petitioners do not have any legal right to claim the property back. If at all the State Government does not utilise the land for the purpose for which same was acquired, same is required to be distributed of in accordance with the priorities prescribed under Maharashtra Land Revenue Code. Writ Petition is devoid of substance.

Writ Petition stands disposed of.

**P.R.BORA
JUDGE**

**R.M.BORDE
JUDGE**