

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

PIL NO.75 of 2014

23 PUBLIC INTEREST LITIGATION NO. 75 OF 2014

VIKAS SAHAJI GAIWAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Jadhav N.L.
Advocate for Respondent no.5 : Mr. I.S.Thorat
Advocate for Respondent No.6 : Mr.N.B.Khandare

...

CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: January 27, 2015

...

PER COURT :-

1. We have perused the affidavits sworn by one Vikas Shahaji Gaival and Vikram Vishwanath Birangal, claiming that they have not consented for presenting instant Public Interest Litigation.

2. In spite of the affidavits tendered by the concerned petitioners, on reading the complaint at page no. 88 presented to the Collector, we are of the opinion that the alleged illegalities need to be inquired into by the Collector. It is alleged in the complaint that the land Gat No.55 situate at village Chinchpur, taluka Paranda, district Osmanabad, was allotted to one Bhagwan Santu Thakare. It is alleged that the said land has been acquired by the State Government in the year 1993-1994 and amount of compensation has been paid to said Thakre. It is further alleged that the very same land, which has been acquired by the State Government, has been purchased by Pearl Sugars Ltd., and

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

PIL NO.75 of 2014

registered sale deed has been got executed.

3. The Collector is expected to make enquiry as to whether the said land has been acquired by the State Government in the year 1993-1994, as alleged, and whether compensation has been paid either to Shri Thakare or anybody else. If at all land has been acquired and the compensation has been paid, it would be open for the Collector to take appropriate action in accordance with the provisions of law concerning the said property. The collector shall enquire into the matter and, if needed, after extending an opportunity of hearing to all the parties, shall take appropriate action, as expeditiously as possible, preferably within a period of six months from today.

With the directions as above, petition (PIL) stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

...