

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2394 OF 2015**

Audumbar Chandrasen Gharbudave)
Age 28 years, Occu: Agriculture)
R/o, Mirghavan, Tq. Karmala,)
Dist. Solapur) ..Petitioner

Vs.

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune) ..Respondents

**WITH
WRIT PETITION NO.1917 OF 2015**

Baba Keru Shinde)
Age 70 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur) ..Petitioner

Versus

1 The State of Maharashtra)

through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.1919 OF 2015

Baban Pandharinath Goyekar)
(deceased) through Lrs.)

1 Samadhan Baban Goyekar)
Age 25 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

2 Balu Baban Goykar)
Age 23 Years Occ Agri)
R/o As above)

3 Sanjubai Baban Goyekar)
Age 50 years, occu: Agri)
R/o as above)

..Petitioner

Versus

1 The State of Maharashtra)

through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.1921 OF 2015

Gulabrao Kondiba Bagal)
Age 70 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)

(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.1928 OF 2015

1 Angad Keru Gharbudave)
Age 55 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

2 Vishwanath S/o Angad Gharbudave)
Age 30 Years, Occ : Agri)
R/O, as above)

..Petitioners

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

**WITH
WRIT PETITION NO.1930 OF 2015**

1 Shriram Mahadeo Patil	)	
Age 32 Years, Occ : Agri	)	
R/O, Mirghavan, Tq. Karmala	)	
Dist Solapur	)	
 2 Vitthal Mahadeo Patil	)	
Age 29 Years, Occ : Agri	)	
R/O, as above	)	..Petitioners

Versus

1 The State of Maharashtra	)	
through the Principal Secretary	)	
Irrigation Department, Mantralaya,	)	
Mumbai-32	)	
 2 Deputy Collector/ Special Land	)	
Acquisition Officer, Krishna Khore	)	
No.11, Solapur, Dist Solapur	)	
(copy to the served upon Govt. Pleader	)	
High Court of Judicature at Bombay	)	
 3 The Executive Engineer	)	
Sina Kolegaon Medium Project	)	
(Krishna Khore) (M.I. & P. T.)	)	
Division at Paranda, Tq. Paranda	)	
Dist Osmanabad	)	
 4 The Managing Director	)	
Krishna Khore Vikas Mahamandal	)	
State of Maharashtra, Baner Road,	)	
Pune, Dist Pune	)	..Respondents

**WITH
WRIT PETITION NO.1936 OF 2015**

Bibishan Keru Gharbudave	)	
Age 53 Years, Occ : Agri	)	

R/O, Mirghavan, Tq. Karmala)
Dist Solapur) ..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune) ..Respondents

WITH
WRIT PETITION NO.1937 OF 2015

Zinatbee Rajeshkhan Pathan)
Age 60 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur) ..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)

Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.1938 OF 2015

Dropadibai Arun Goyekar)
Age 45 Years, Occ : Household Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)

Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune) ..Respondents

WITH
WRIT PETITION NO.2395 OF 2015

Nivrutti Kerba Hake)
(died) through LRS)

1 Sharda Nivrutti Hake)
Age 60 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

2 Mahesh Nivrutti Hake)
Age 23 Years, Occ : Agri)
R/O, as above) ..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune) ..Respondents

**WITH
WRIT PETITION St.NO.2401 OF 2015**

Eknath Keru Gharbudve	)	
Age 55 Years, Occ : Agri	)	
R/O, Mirghavan, Tq. Karmala	)	
Dist Solapur	)	..Petitioner
Versus		

1 The State of Maharashtra	)
through the Principal Secretary	)
Irrigation Department, Mantralaya,	)
Mumbai-32	)

2 Deputy Collector/ Special Land	)
Acquisition Officer, Krishna Khore	)
No.11, Solapur, Dist Solapur	)
(copy to the served upon Govt. Pleader	)
High Court of Judicature at Bombay	)

3 The Executive Engineer	)
Sina Kolegaon Medium Project	)
(Krishna Khore) (M.I. & P. T.)	)
Division at Paranda, Tq. Paranda	)
Dist Osmanabad	)

4 The Managing Director	)	
Krishna Khore Vikas Mahamandal	)	
State of Maharashtra, Baner Road,	)	
Pune, Dist Pune	)	..Respondents

**WITH
WRIT PETITION St.NO.2404 OF 2015**

Dadasaheb Pandharinath Lawand	)	
Age 50 Years, Occ : Agri	)	
R/O, Mirghavan, Tq. Karmala	)	
Dist Solapur	)	..Petitioner

Versus

1 The State of Maharashtra	)
through the Principal Secretary	)

Irrigation Department, Mantralaya,	)	
Mumbai-32	)	
2 Deputy Collector/ Special Land	)	
Acquisition Officer, Krishna Khore	)	
No.11, Solapur, Dist Solapur	)	
(copy to the served upon Govt. Pleader	)	
High Court of Judicature at Bombay	)	
3 The Executive Engineer	)	
Sina Kolegaon Medium Project	)	
(Krishna Khore) (M.I. & P. T.)	)	
Division at Paranda, Tq. Paranda	)	
Dist Osmanabad	)	
4 The Managing Director	)	
Krishna Khore Vikas Mahamandal	)	
State of Maharashtra, Baner Road,	)	
Pune, Dist Pune	)	..Respondents

WITH
WRIT PETITION St.NO.2406 OF 2015

Sanjay Kisan Ohaol	)	
Age 37 Years, Occ : Agri	)	
R/O, Mirghavan, Tq. Karmala	)	
Dist Solapur	)	..Petitioner

Versus

1 The State of Maharashtra	)
through the Principal Secretary	)
Irrigation Department, Mantralaya,	)
Mumbai-32	)
2 Deputy Collector/ Special Land	)
Acquisition Officer, Krishna Khore	)
No.11, Solapur, Dist Solapur	)
(copy to the served upon Govt. Pleader	)
High Court of Judicature at Bombay	)
3 The Executive Engineer	)
Sina Kolegaon Medium Project	)

(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune) ..Respondents

WITH
WRIT PETITION St.NO.2413 OF 2015

Bajirao S/oNivrutti Gharbudave)
Age 50 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur) ..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune) ..Respondents

WITH
WRIT PETITION St.NO.2425 OF 2015

1 Kiran Eknath Gharbudave)

Age 30 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

2 Saudagar s/o Eknath Gharbudave)
Age 28 yers. Occ Agri)
R/o As above)

..Petitioners

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION St.NO.2426 OF 2015

Kerba Kondiba Hake)
Age 60 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)

Mumbai-32	)	
2 Deputy Collector/ Special Land	)	
Acquisition Officer, Krishna Khore	)	
No.11, Solapur, Dist Solapur	)	
(copy to the served upon Govt. Pleader	)	
High Court of Judicature at Bombay	)	
3 The Executive Engineer	)	
Sina Kolegaon Medium Project	)	
(Krishna Khore) (M.I. & P. T.)	)	
Division at Paranda, Tq. Paranda	)	
Dist Osmanabad	)	
4 The Managing Director	)	
Krishna Khore Vikas Mahamandal	)	
State of Maharashtra, Baner Road,	)	
Pune, Dist Pune	)	..Respondents

WITH
WRIT PETITION St.NO.2427 OF 2015

Rajendra Dagdu Hake	)
(died)through LRS	)
1 Usha w/o Rajendra Hake	)
Age 60 Years, Occ : Agri	)
R/O, Mirghavan, Tq. Karmala	)
Dist Solapur	)
2 Birmal Rajendra Hake	)
Age 20 Years, Occ : Agri	)
R/O, as above	)
3 Vijay Rajendra Hake	)
Age minor U/G of real mother	)
Petitioner No.1	)
R/O, as above	)
4 Padmin Rajendra Hake	)
Age minor U/G of real mother	)
Petitioner No.1	)
R/O, as above	)

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

**WITH
WRIT PETITION St.NO.2444 OF 2015**

Gorakh Parshuram Balgude)
Age 34 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION St.NO.2445 OF 2015

Vastad Arjun Gharbudave)
Age 55 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

**WITH
WRIT PETITION NO.2527 OF 2015**

Shripati Daji Pawar	)	
Age 75 Years, Occ : Agri	)	
R/O, Mirghavan, Tq. Karmala	)	
Dist Solapur	)	..Petitioner

Versus

1 The State of Maharashtra	)
through the Principal Secretary	)
Irrigation Department, Mantralaya,	)
Mumbai-32	)

2 Deputy Collector/ Special Land	)
Acquisition Officer, Krishna Khore	)
No.11, Solapur, Dist Solapur	)
(copy to the served upon Govt. Pleader	)
High Court of Judicature at Bombay	)

3 The Executive Engineer	)
Sina Kolegaon Medium Project	)
(Krishna Khore) (M.I. & P. T.)	)
Division at Paranda, Tq. Paranda	)
Dist Osmanabad	)

4 The Managing Director	)	
Krishna Khore Vikas Mahamandal	)	
State of Maharashtra, Baner Road,	)	
Pune, Dist Pune	)	..Respondents

**WITH
WRIT PETITION NO.2528 OF 2015**

Rakhmaji Aaba Ohaol (died) through LRS)		
Ashok S/o Rakhmaji Ohaol	)	
Age 40 Years, Occ : Agri	)	
R/O, Mirghavan, Tq. Karmala	)	
Dist Solapur	)	..Petitioner

Versus

1 The State of Maharashtra	)
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through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.2529 OF 2015

Tatya Maruti Hake)
Age 60 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
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3 The Executive Engineer)
Sina Kolegaon Medium Project)

(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.2530 OF 2015

Haridas Chandrasen Gharbudave)
Age 23 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
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3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.2532 OF 2015

1 Satish Bibhishan Gharbudave)
Age 33 Years, Occ : Agri)

2 Dayanand s/o Bibhishan Gharbudave)
Age 27 Years, Occ : Agri)

both R/O, Mirghavan, Tq. Karmala)
Dist Solapur) ..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
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3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune) ..Respondents

WITH
WRIT PETITION NO.2533 OF 2015

1 Bapusha Bhagwan Pawar)
Age 43 Years, Occ :Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

2 Dattu Bhagwan Pawar)
Age 40 yrs, Occ Agri.)
R/o As above) ..Petitioners

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

**WITH
WRIT PETITION NO.2534 OF 2015**

Kerba Devrao Pawar)
Age 67 Years, Occ : Agri)
R/O, Mirghavan, Tq. Karmala)
Dist Solapur)

..Petitioner

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)

(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION NO.2650 OF 2015

Krishna Keshav Goyekar)
(died) through Lrs.)

1 Sukhdeo Krishna Goyekar)
Age 72 Yrs Occu Agri)

2 Gajendra Krishna Goyekar)
Age 70 Yrs Occu Agri)

3 Ankush Krishna Goyekar)
Age 67 Yrs Occu Agri)

4 Raosaheb Krishna Goyekar)
Age 64 Yrs Occu Agri)

5 Gokuldas Krishna Goyekar)
Age 60 Yrs Occu Agri)

6 Dilip Krishna Goyekar)
Age 50 Yrs Occu Agri)

..Petitioners

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)
(Krishna Khore) (M.I. & P. T.))
Division at Paranda, Tq. Paranda)
Dist Osmanabad)

4 The Managing Director)
Krishna Khore Vikas Mahamandal)
State of Maharashtra, Baner Road,)
Pune, Dist Pune)

..Respondents

WITH
WRIT PETITION St. NO.2382 OF 2015

1 Kantilal S/o Mohan Hake)
Age 65 years, occu : Agri)
R/o Mirghavan, Tq. Karmala)
Dist Solapur)

2 Sopam S/o Mohan Hake)
Age 50 years, Occ Agri)
R/o As above)

..Petitioners

Versus

1 The State of Maharashtra)
through the Principal Secretary)
Irrigation Department, Mantralaya,)
Mumbai-32)

2 Deputy Collector/ Special Land)
Acquisition Officer, Krishna Khore)
No.11, Solapur, Dist Solapur)
(copy to the served upon Govt. Pleader)
High Court of Judicature at Bombay)

3 The Executive Engineer)
Sina Kolegaon Medium Project)

(Krishna Khore) (M.I. & P. T.))
 Division at Paranda, Tq. Paranda)
 Dist Osmanabad)

4 The Managing Director)
 Krishna Khore Vikas Mahamandal)
 State of Maharashtra, Baner Road,)
 Pune, Dist Pune)

..Respondents

WITH
 WRIT PETITION NO.2531 OF 2015

1 Kalidas Vithoba Gharbudave)
 Age 55 years, occu : Agri)
 R/o Mirghavan, Tq. Karmala)
 Dist Solapur)

2 Somnath Vithoba Gharbudave)
 Age 50 years, Occ Agri)
 R/o As above)

..Petitioners

Versus

1 The State of Maharashtra)
 through the Principal Secretary)
 Irrigation Department, Mantralaya,)
 Mumbai-32)

2 Deputy Collector/ Special Land)
 Acquisition Officer, Krishna Khore)
 No.11, Solapur, Dist Solapur)
 (copy to the served upon Govt. Pleader)
 High Court of Judicature at Bombay)

3 The Executive Engineer)
 Sina Kolegaon Medium Project)
 (Krishna Khore) (M.I. & P. T.))
 Division at Paranda, Tq. Paranda)
 Dist Osmanabad)

4 The Managing Director)
 Krishna Khore Vikas Mahamandal)
 State of Maharashtra, Baner Road,)
 Pune, Dist Pune)

..Respondents

Mr. S. S. Wakure a/w Mr. Sambhaji Wakure for the Petitioners
Ms. M. S. Bane “B” panel Counsel for the Respondent Nos.1 and 2

CORAM : R. M. SAVANT, J.

DATE : 10th July, 2015

ORAL JUDGMENT

1 Rule. With the consent of the Learned Counsel for the parties made returnable forthwith and heard.

2 The Learned AGP waives notice on behalf of the Respondent Nos.1 and 2. The above Petitions have their genesis in the applications filed by the Petitioners under Section 28-A of the Land Acquisition Act which applications have been rejected on a technical ground and not on merits. The need to serve the Respondent Nos.3 and 4 is therefore obviated. The Petitioners abovenamed filed separate applications under Section 28-A of the said Act. The Petitioners applied for redetermination of the compensation relying upon the Judgment and Award passed by the Civil Court in Land Acquisition Reference No.15 of 2005. The said applications were as indicated above rejected by the impugned orders dated 18-9-2011 and 7-12-2012 on the ground that the Petitioners have not complied with the notices dated 8-2-2012, 10-2-2012 and 13-2-2012 by which notices they were asked to make certain compliances in respect of production of the documents mentioned in the said notices. The said documents have been listed in clauses 1 to 7 of the impugned order. The said

documents are as follows: (English Translation)

- (i) Copies of the 7/12 extracts and 8/A extracts of the present date.
- (ii) Certified copy of the Award.
- (iii) Certified copy of Notifications under sections 4 and 6 of the Land Acquisition Act, 1894.
- (iv) A letter of Government or Government Pleader recording whether any Appeal has been preferred against the award on the basis of which the application is made.
- (v) The bank guarantee equivalent to the amount which is claimed by way of enhancement.
- (vi) Evidence in respect of the redetermination of compensation under Section 28A
- (vii) How the findings recorded in the Award passed by the Reference Court are applicable to the lands of the Claimants.

3 It is the case of the Petitioners that the said notices dated 8-2-2012, 10-2-2012 and 13-2-2012 were not received by them by which notices they were called upon to make compliance by producing the documents mentioned therein and to remain present for hearing. In the absence of the notices being received by them, they could not remain present before the Deputy Collector Land Acquisition, Krishna Khore, Solapur, resulting in the said

officer passing the impugned orders dated 7-12-2012.

4 The said fact of the Petitioners having not received the notices is disputed by the Learned AGP on the ground that the record would have to be seen.

5 In my view, the said dispute would not detain the adjudication of the above Petitions, in view of the Judgment of the Division Bench of this Court dated 29-11-2013 passed in Writ Petition Nos.9666 of 2013 and 9667 of 2013 in the matter of Dhondiba Sudam Sonawane & Ors. Vs. The State of Maharashtra & Ors. and Shankar Bapu Shinde Vs. State of Maharashtra & Ors. Before the Division Bench, the Petitioners were similarly situated as the present Petitioners in the above Petitions and the lands were covered by the same notification. The Petitioners in the said Petitions were also relying upon an Award passed by the Reference Court in LAR No.34 of 2006. The notices in the said two Petitions called upon the Petitioners in the said Petitions to produce 13 documents which were listed in the said notices. As indicated above in the instant Petitions, the Petitioners were asked to produce 7 documents. The said 7 documents form part of the 13 documents which the Petitioners in the said two Petitions were asked to produce. The Division Bench of this Court having regard to the Scheme of Section 28-A of the said Act, held that most of the requisitions set out in the impugned communications are completely contrary

to the requirements of Section 28A of the said Act, and therefore quashed and set aside the said notices and directed the Land Acquisition Officer to hear and decide the matter on merits. In view of the Division Bench Judgment (Supra), the order passed by the Deputy Collector, Land Acquisition, on the basis of the identical notices calling upon the Petitioners to produce the documents, would also have to be quashed and set aside and accordingly quashed and set aside. The Learned Counsel appearing for the Petitioners states that there was a settlement before the Lokadalat. If that be so, the Petitioners are required to produce the said settlement before the Land Acquisition Officer. Hence the following order:

(i) The impugned orders dated 18-9-2011 and 7-12-2012 are hereby quashed and set aside.

(ii) It is made clear that the claimant who makes an application under Section 28-A is under an obligation to produce a certified copy of the Award passed in the Reference under Section 18 of the said Act, on the basis of which he claims re-determination of compensation. The claimant is also required to state in the application that he has not applied for Reference under Section 18 of the said Act.

(iii) It is made clear that in the facts and circumstances of the case in hand,

since there was a settlement arrived at before the Lokadalat, the Claimants shall produce a true copy of the settlement and place the same before the Deputy Collector Krishna Khore within a period of 6 weeks from date.

(iv) The Petitioners applications under Section 28-A would be decided having regard to the said settlement arrived at before the Lokadalat.

6 Rule in all the Petitions made absolute in the aforesaid terms with parties to bear their respective costs of the above Petitions.

[R.M.SAVANT, J]