

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4565 OF 2015

Shri Chanappa Bhau Yesare. .. Petitioner
Vs
Collector, Kolhapur and Others. .. Respondents
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Shri Uday B. Nighot for the Petitioner.
Shri V.S. Gokhale, AGP for the Respondents.
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CORAM : A.S. OKA & C.V.BHADANG, JJ
DATED : 5TH MAY 2015

PC.

. Not on board. Taken on board.

2. Heard learned counsel appearing for the Petitioner and the learned AGP for the Respondents.

3. The learned counsel appearing for the Petitioner on instructions states that an Application made by the Petitioner under Sub-Section (1) of Section 48 of the Land Acquisition Act, 1894 as well as the Application for interim relief made therein have not been decided by the Fourth Respondent and that the same are pending before the Fourth Respondent.

4. The learned AGP has no instructions on this aspect. We accept the statements made by the learned counsel appearing for the Petitioner and accordingly, we dispose of the Petition by passing the following order:

ORDER :

- (a) We direct the Petitioner to appear before the Fourth Respondent on 12th May 2015 at 11.00 a.m.;
- (b) The Petitioner shall produce an authenticated copy of this order before the Fourth Respondent on that date;
- (c) The Application for interim relief made by the Petitioner in the pending Application under Sub-Section (1) of Section 48 of the Land Acquisition Act, 1894 shall be decided by the Fourth Respondent as expeditiously as possible and preferably within a period of one month from 12th May 2015;
- (d) Till disposal of the Application for interim relief, the status quo as of today in relation to the land

described in the prayer clause (a) of the Petition shall be maintained;

- (e) The order passed by the Fourth Respondent on the Application for interim relief be communicated to the Petitioner within a period of one week from the date of passing of the said order;
- (f) If the order be adverse to the Petitioner, the limited protection granted as aforesaid shall continue to operate for a period of three weeks from the date on which the order is communicated to the Petitioner;
- (g) All contentions on merits are kept open;
- (h) The Fourth Respondent shall decide the Application for interim relief without being influenced by the limited protection as aforesaid granted by this Court;
- (i) The Petition is disposed of on above terms.