

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 9627 OF 2014

Gunga Bapu Dhangar (Bandgar) & Ors.	...	Petitioners
vs.		
The Divisional Commissioner, Pune & Ors.	...	Respondents

Mr. A.P. Vanarse, Advocate for the petitioners.
Ms. S.S. Bhende, AGP for the respondent nos. 1 to 4.

**CORAM : SMT. VASANTI A. NAIK &
C.V. BHADANG, JJ.**
DATE : 18th February, 2015.

P.C.

By this Petition, the petitioners seek a direction to the respondent no. 1 to decide the application filed by the petitioners on 24th July, 2014 and acquire the other land of the petitioners.

The land of the petitioners was acquired by the State of Maharashtra under the provisions of the Land Acquisition Act in 1978. The petitioners have now made an application to the State Government on 24th July, 2014 asking the State Government to return the acquired land and instead take the possession of the other land owned and possessed by the petitioners.

The relief sought by the petitioners cannot be granted. A direction

cannot be issued to the respondent no. 1 to decide the representation, as the petitioners are not entitled to the relief that is sought by the representation dated 24th July, 2014. The land of the petitioners is acquired in the year 1978 and the application was made by the petitioners in 2004 seeking exchange of the land. Also, it is surprising that the petitioners are ready to give the land on which sugarcane crop is standing and are seeking back the land that is rocky and used for housing the cattle. In any case, the petitioners cannot seek the return of the land that was acquired in the year 1978 in exchange of some other land belonging to the petitioner, in the year 2014.

Since the petition is devoid of merit, the same is dismissed, with no order as to costs.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)