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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1942 OF 2014

Jagdish Moreshwar Patil and Ors.

..Petitioners.

V/s.

The Special Land Acquisition Officer and Ors.

..Respondents.

Mr.Sachin Suryakant Pande for the petitioners.

Mr.V.P.Malvankar, AGP 'A' Panel for respondent Nos.1 and 2.

Mr.A.R.Patil, AGP for appellant in First Appeals.

Mr.Vijay S. Gharat for respondent Nos.1 to 9 in FA No.70/1991

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 28TH SEPTEMBER, 2015

P.C. :-

1. Heard the learned counsel appearing for the petitioners and the learned AGP appearing for the respondents. Perused the affidavit of Smt. Jaymala Ganpat Murudkar, Deputy Collector (Metro Centre) Uran District, Raigad. We have perused paragraphs 3 and 5 of the affidavit. The Deputy Collector has sought time of one year to dispose of the applications made by the petitioners, the copies of which have been annexed at Exhibit B-1 to B-71 under sub-section (1) to Section 28A of the Land Acquisition Act, 1894.

2. In view of the statements made in the affidavit, we dispose of the petition by passing the following order:-

- (i) We direct the petitioner to appear before the Deputy Collector (Land Acquisition), Metro Centre, District Raigad on 31th October, 2015 at 11.00 a.m. On that date, the Deputy Collector shall fix the schedule for hearing of the applications of which copies are annexed at Exhibits B1 to B71;
- (ii) All pending applications shall be disposed of by the Deputy Collector in accordance with law as expeditiously as possible and in any event on or before 30th September, 2016;
- (iii) Considering the fact that if the petitioners make out a case for grant of enhancement, the public exchequer will be adversely affected, the Deputy Collector shall dispose of the applications as early as possible;
- (iv) We make it clear that we have not made any adjudication on merits of the pending applications and all the issues including the issue of maintainability and limitation are expressly kept open;
- (v) The petition is disposed of in above terms;
- (vi) The first appeals which are on board along with this petition are tagged only for the purpose of reference and, therefore, they shall be de-tagged from the writ petitionk.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)