

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 878 OF 2015

Sakharam Laxman Lad	...	Petitioner
vs.		
The Additional Collector, Kolhapur District, Kolhapur & Ors.	...	Respondents

Mr. P.D. Dalvi, Advocate for the petitioner.
Smt. S.S. Bhende, AGP for the respondent nos. 1 and 2.

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

P.C.

By this Petition, the petitioner seeks a direction to the respondent nos. 1 and 2 to allot agricultural lands in Gat no. 787/B admeasuring 0.61R and Gat No. 513 admeasuring 0.20R.

The petitioner claims to be a project affected person. It is the case of the petitioner that the petitioner had applied for allotment of lands mentioned herein above in view of the provisions of the Project Affected Persons Rehabilitation Act. It is the case of the petitioner that despite the favourable remarks of the District Rehabilitation Officer, the said lands have been allotted by the Collector to the respondent no. 3. In the aforesaid set of facts, the petitioner has sought the cancellation of the allotment of land in favour of the respondent no. 3 and a direction to the

respondents to allot the said lands to the petitioner.

The prayer made by the petitioner is liable to be rejected. The petitioner, as a project affected person, cannot seek the allotment of a specific piece of land. If the petitioner is a project affected person, he can seek allotment of the land but he cannot have a claim over two pieces of land as stated herein above and seek the allotment of the said lands to himself. Merely because the lands are allotted to the respondent no. 3, who also appears to be project affected person, no right of the petitioner, much less a fundamental right, is infringed.

In the result, the Writ Petition fails and dismissed, with no order as to costs.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)