

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3253 OF 2014

Balkrushna Walkya Ulwekar
and others.

..Petitioners

Versus

The Special Land Acquisition Officer,
and another.

..Respondents

....

Mr. Sachin S. Punde, for the Petitioners.

Mr. V.S. Gokhale, AGP, for AGP for Respondent Nos.1 and 2.

....

CORAM : A.S. OKA, AND
A.R. JOSHI, JJ.

DATE : 21st AUGUST, 2015

P.C.

1. Heard learned Counsel appearing for the petitioners and learned AGP for the respondents.
2. The grievance made in this Petition is that four separate applications made by the petitioners on 17th October, 1990 before the first respondent under sub-section 1 of Section 28A of the Land Acquisition Act, 1894 have been kept pending.
3. By making the said applications, redetermination of compensation was sought on the basis of the judgment and award dated 16th June, 1990 in Land Acquisition Reference No.289 of 1989. Learned Counsel appearing for the petitioners, on instructions, states that though an appeal was preferred against the said judgment and award, the same has been now disposed of.
4. Learned AGP has no instructions regarding the status of the applications, subject matter of this Petition.
5. Hence we dispose of the Petition by passing following order :

:: O R D E R ::

- [i] We direct the petitioners or their representatives to remain present before the first respondent on 21st September, 2015 at 11:00 a.m.. The petitioners or their representative shall produce an authenticated copy of the judgment and order as well as office copies of the applications at Exhibit-A. The petitioners shall also produce a copy of the order passed in appeal preferred for challenging the award in LAR No.289 / 1989;
- [ii] The first respondent shall verify whether the four applications subject matter of this Petition are still pending. If the applications have been already disposed of, the copies of orders passed thereon be provided to the petitioners within a period of two weeks from 21st September, 2015. If the applications are still pending and if the first respondent is satisfied that the appeal against the award in LAR No.289/1989 has been disposed of, the first respondent shall dispose of the four applications as expeditiously as possible and in any event on or before 29th February, 2016;
- [iii] All contentions on merits are kept open;
- [iv] Petition is disposed of on above terms;
- [v] The first respondent to act upon an authenticated copy of this order.

(A. R. JOSHI, J.)

(A. S. OKA, J.)