

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3925 OF 2015

Ramu Raghu Gade & Ors. .. Petitioners

V/s.

The Collector, Pune & Ors. .. Respondents

Mr. Uday B. Nighot, for the petitioner.

Mr. V.S. Gokhale, AGP for respondent no. 1 to 5.

**CORAM : ABHAY S. OKA &
A.P. BHANGALE, J.J.**

DATE : 16TH APRIL, 2015

P.C.

Not on Board. Taken on Board.

2. Heard the learned counsel appearing for the petitioners and the learned AGP for the 1st to 5th respondents. It is not in dispute that application made by the petitioners under Sub-section (1) of Section 48 of the Land Acquisition Act, 1894 is pending before the Additional Commissioner, Pune Division, Pune.

3 Therefore, this petition claiming wider reliefs need not be entertained at this stage. In the event, the application made by the petitioners is rejected, while challenging the order of the Additional Divisional Commissioner, the petitioners can pray for the reliefs which are prayed for in this petition.

Accordingly, we dispose of the petition by passing the following order:

:: O R D E R ::

(i) We direct the petitioners or their authorized representatives to appear before the Additional Commissioner, Pune Division, Pune on Monday 27th April, 2015 at 11.00 a.m. The petitioners shall produce an authenticated copy of this order before the learned Additional Commissioner, Pune Division, Pune;

(ii) The stay order granted by the Additional Commissioner on 27th March, 2006 will continue to operate till the disposal of the pending applications before the Additional Commissioner;

(iii) The Additional Commissioner shall dispose of the pending application as expeditiously as possible and preferably on or before 30th September, 2015;

(iv) Order passed on the application be communicated to the petitioners;

(v) If the order be adverse to the petitioners, the order of stay shall continue to operate for a period of one month from the date on which the order is served upon the petitioners;

(vi) All contentions on merits are kept open;

(vii) The Petition is disposed of accordingly.

[A.P. BHANGALE, J.]

[ABHAY S. OKA, J.]