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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2368 OF 2015 IN
WRIT PETITION NO.6650 OF 2006**

The State of Maharashtra and Anr.	... Applicants
Vs.	
Shri Arjun Shankar Patil and Ors.	... Respondents

Mr. A.I. Patel, AGP for the Applicants.
Mr. Sachin Chavan i/by Mr. Shriram S. Kulkarni for the Respondents.

**CORAM : A.S. OKA &
G.S. PATEL, JJ.**

DATE : 7th DECEMBER, 2015

PC.

1. Heard the learned AGP for the Applicants and the learned counsel appearing for the Respondents. The Respondents herein filed Writ Petition No.6650 of 2006 which was disposed of by the order dated 9th October, 2006. By the said order, all the applications made by the Respondents under Sub-Section (1) of Section 28-A of the Land Acquisition Act, 1894 which were pending were ordered to be disposed of within a period of three months.

2. The Respondents have filed Contempt Petition No.226 of 2009 alleging breach of the said order.

3. In the present application, the State Government has pointed out that the direction dated 9th October, 2006 was in relation to 378 applications made by the Respondents. It is pointed out that 21 applications out of 378 were not found on record of the office of the Special Land Acquisition Officer. It was pointed out that record of 12 applications was not available. On 16th January, 2014, 7th April, 2015 and 25th June, 2015, the Special Land Acquisition Officer called upon Advocate for the Respondents to furnish copies of the said applications.

4. By the present application, a direction is sought against the Writ Petitioners to furnish copies of 21 applications as set out in Exhibit -C to the application bearing acknowledgement of the office of the Special Land Acquisition Officer. The second prayer is for a direction to the Writ Petitioners to either reconstruct or supply record of 12 cases described in Exhibit – D to the Civil Application. Time of three months is sought to deal with the said 21 and 12 applications after compliance is made by the Writ Petitioners in terms of prayer clauses (a) and (b).

5. Out of 378 applications, except the aforesaid 33 applications, all other applications have been already decided. Therefore, the Writ Petitioners will have to co-operate with the Special Land Acquisition Officer by supplying the necessary documents. Accordingly, we dispose of the application by passing the following order :-

ORDER

- (i) Prayer clauses (a) and (b) are granted. We grant time of three months to the Writ Petitioners to comply with the directions contained in terms of prayer clauses (a) and (b);
- (ii) We direct the Special Land Acquisition Officer to decide the applications with a period of three months from the respective dates on which compliance is made by the Writ Petitioners in terms of the directions issued in terms of prayer clauses (a) and (b);
- (iii) We make it clear that in the event the Writ Petitioners are unable to comply with the directions of this Court, it will be open for them to make fresh applications under Sub-Section (1) of Section 28-A of the Land Acquisition Act, 1894 in accordance with law on the basis of the Awards in the references under Section 18 or Sub-Section (B) of Section 28-A decided subsequently provided it is permissible in accordance with law to do so;
- (iv) Application is disposed of on the above terms.

(G.S. PATEL, J)

(A.S. OKA, J)