

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 10340 OF 2014

Suresh Dnyanoba Gaikwad	...	Petitioner
vs.		
The Collector, Kolhapur & Ors.	...	Respondents

Mr. Uday B. Nighot, Advocate for the petitioner.
Mr. Vikas Mali, AGP for respondent nos. 1 to 5.

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

P.C.

Heard.

By this Petition, the petitioner impugns the order of the Divisional Commissioner, Pune Division, Pune dated 7th October, 2014 rejecting the application filed by the petitioner to acquire the land from the western side of Gat No. 277 instead of the land acquired from the eastern side.

On hearing the learned counsel for the parties and on perusal of the impugned order, it appears that the relief sought by the petitioner cannot be granted and the impugned order cannot be set aside. The land of the petitioner was acquired under the provisions of the Land Acquisition Act in pursuance of Section 4 Notification issued in the year

1986. The award was passed by the Land Acquisition Officer in the year 1989. It appears that the land of the petitioner was acquired for rehabilitation of the project affected persons and after the acquisition of the land, the possession of the land was secured by the respondents and the acquired land was allotted to the project affected persons.

In view of the facts stated herein above, the petitioner cannot seek a direction to the respondents to acquire the land of the petitioner from the western side of Gat No. 277 instead of the land that was acquired in the year 1987.

Since there is no merit in the Writ Petition, the same is dismissed, with no order as to costs.

(C.V. BHADANG, J.)

(VASANTI A. NAIK, J.)