

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 1533 /2015

(Shri Bhupendra s/o Ramdhan Pawar vs. State of Maharashtra and others)

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders
.....

Court's or Judge's order

Shri V.K.Paliwal, Advocate for the petitioner
Shri Nitin Rode, Asst.Govt.Pleader for Respondents

**CORAM : SMT. VASANTI A. NAIK &
A.I.S. CHEEMA, JJ.**

DATED : 6th October, 2015.

Heard.

By this petition, the petitioner is seeking a direction to the respondents to consider the representation of the petitioner for returning the agricultural land that was acquired by the State Government in the land acquisition proceedings of the year 2004-05.

The land of the petitioner was acquired by the State of Maharashtra by the acquisition proceedings initiated in the year 2004-05. The award was passed on 31.7.2007 and the petitioner has received the compensation. It is the case of the petitioner that though the land of the petitioner was acquired for the purpose of pond, the State

Government has not used the same for the purpose for which it is acquired. It is stated that since the State Government does not require the land for the public purpose, the Government should return the land to the petitioner.

The prayer made on behalf of the petitioner cannot be granted. The State Government cannot be directed to return the land of the petitioner only because the same is not used for the purpose for which it was acquired. The land was acquired more than 10-years earlier and the petitioner has received the compensation towards the acquisition of the land. The land vests in the State Government and the petitioner has no right to seek the land only because the same is not used for the purpose for which it was acquired.

In the circumstances of the case, the Writ Petition is dismissed with no order as to costs.

JUDGE

JUDGE

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