

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2775 OF 2015

[Ashok s/o Pandurang Nikhade and others .vs. The State of Maharashtra and others]

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

Court's or Judge's orders

Shri A.V. Muley, counsel for the petitioners,
Ms. T.H. Khan, AGP for the respondent nos.1 to 3.

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

DATED : SEPTEMBER 03, 2015.

By this petition, the petitioners challenge the Notification of the State Government, dated 20.11.2014 rehabilitating the petitioners at the site mentioned in the same. The petitioners have sought a direction to the respondents to rehabilitate the petitioners to the site near Hattisarra, Tahsil - Saoner, District - Nagpur.

According to the petitioners, the site near Hattisara where the petitioners were earlier sought to be rehabilitated was convenient for the petitioners, but by the Notification, dated 20.11.2014, the petitioners are rehabilitated at a site which is at a considerable distance from their residence.

The relief sought by the petitioners cannot be granted. It is not established by the petitioners that the petitioners have a right to be rehabilitated at a place which is at a distance of a stones throw from the place where they reside. The place for the rehabilitation of the petitioners is only 2-2½ k.ms. from the place of their residence. There is no material placed on record to show that the petitioners have a right to be rehabilitated at a site which is at lesser distance. There would be no propriety in quashing the Notification, only because the site mentioned in the Notification is not convenient to the petitioners. Also, all the persons that are rehabilitated by the said Notification do

not have a grievance and only a few of them have approached this court.

In the result, the writ petition fails and is dismissed, with no order as to costs.

JUDGE

JUDGE

Gulande