

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

WRIT PETITION NO. 4851/2014

(Sau.Mrunal w/o Manohar Golhar vs. Union of India and others)

AND

WRIT PETITION NO. 4858/2014

(Sau. Jyoti w/o Anil Tagde vs. Union of India and others)

AND

WRIT PETITION NO.4890/2014

(Shri Prashant Madhusudan Kakad vs. Union of India and others)

AND

WRIT PETITION NO. 4925/2014

(Sau.Alka Ajay Meshram vs. Union of India and others)

AND

WRIT PETITION NO. 5008 /2014

(Sau.Sulekha w/o Umesh Bakane vs. Union of India 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

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Mr. A.S.Ambatkar, Advocate for petitioner/s
Mr. N.P. Lambat Advocate for UOI - Railways
Mr. S.K. Mishra, Advocate for NIT
Mrs. K.S.Joshi/ S.M. Bhagde/Mrs.A.R.Taiwade and Mrs. K L Dharmadhikari,
Asst. Government Pleader for State-

CORAM : SMT. VASANTI A. NAIK &
A.M. BADAR, JJ.

DATED : 6th April, 2015.

Heard.

Since the issue involved in these petitions is identical and the relief sought by the petitioners is also the same, they are heard together with the consent of the learned counsel for the parties and are decided by this common order.

By these Writ Petitions, the petitioners seek a declaration that the reservation of the lands of the petitioners for the Railways, as mentioned in Reservation No. S-243, stands lapsed.

The lands of the petitioners were earmarked for the Railways as per the final Development Plan for Nagpur city, published on 7.1.2000. As no steps were taken by the concerned respondents for the acquisition of the lands, the petitioners served the purchase notice on the concerned respondents. The respondents have, however, not taken any effective steps as required by the provisions of the Section 127 of the Act of 1966, within a period of one year from the receipt of the notice. It is stated on behalf of the Railways that the Railways do not require the lands and, therefore, the lands of the petitioners may be deleted from Reservation No. S-234.

Since the lands of the petitioners are not required by the Railways, the same need to be deleted from Reservation No. S-243, from the Development Plan of Nagpur city.

Hence, for the reasons aforesaid, the Writ Petitions are allowed. The reservation of the lands belonging to the petitioners under Reservation No.S-243 for Railways, stands deleted as the lands are not required by the Railways. The petitioners are free to develop their lands as is permissible to the adjacent owners, as per the Development Plan of Nagpur city.

Order accordingly. No order as to costs.

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