

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

WRIT PETITION NO.5648 OF 2005

[Shah Babu Education Society, Patur, Distt. Akola .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 M.G. Bhangde, Senior Counsel with Shri S. Tapdiya, counsel for the petitioner,
Shri S.M. Bhagde, Assistant Government Pleader for the respondent nos.1 to 7,
Shri V.P. Panpaliya, counsel for the respondent no.8,
Shri A.M. Ghare, counsel for the respondent nos.9 and 10.

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

DATED : APRIL 28, 2015.

By this petition, the petitioner-society challenges the order passed by the respondent no.5–Special Land Acquisition Officer, thereby dropping the land acquisition proceeding initiated for the acquisition of the land for the petitioner under the Land Acquisition Act read with the Maharashtra Regional Town Planning Act, 1966.

The respondent nos.1 (ii) and 6 have filed an affidavit-in-reply on 20.2.2015. It is stated therein that the development plan has been modified under Section 37 of the Act of 1966 and after joint measurement of the concerned survey numbers, the land acquisition proceeding shall be initiated.

Shri M.G. Bhangde, the learned Senior Counsel appearing on behalf of the petitioner, states that the grievance of the petitioner stands redressed in view of the statement made in the affidavit-in-reply, dated 20.2.2015. It is stated that since the land acquisition proceeding would be initiated, after the joint measurement of the survey numbers, the grievance of the petitioner would not survive.

In view of the statement recorded hereinabove, we dispose of the writ petition by accepting the statement made in the affidavit-in-reply of the respondent nos.1(ii) and 6 dated 20.2.2015.

We expect the concerned respondent to take immediate steps in pursuance of the statement made in the affidavit-in-reply dated 20.2.2015.

Order accordingly. No costs.

JUDGE

JUDGE

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