

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

WRIT PETITION No.7305 OF 2014

Bhatwan Dhanraj Ghavghave and 15 others.

-Vrs.-

The Regional Officer, Maha. Industrial Development Corpn., Nagpur and another.

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

Court's or Judge's orders.

Shri S.P. Kshirsagar, counsel for petitioners.

CORAM : B.P. DHARMADHIKARI AND
P.N. DESHMUKH, JJ.

DATED : 6th OCTOBER, 2015

Petitioners question order dated 7.8.2014 passed by respondent no.2 rejecting their prayer under section 28A of Land Acquisition Act, 1984 on the ground that the acquisition was under Maharashtra Industrial Developments Act 1961 and as such said provision had no application.

It is not in dispute before us that the question precisely has been gone into by this court while deciding W.P. No. 6688/2014, W.P. No. 952/2015 and other connected matters on 12.8.2015. This court has observed that section 28A would necessarily apply to acquisition under the Maharashtra Industrial Development Act also.

In this situation, in the light of said adjudication and judgment, the impugned orders are quashed and set aside.

Applications under section 28A filed by petitioners

shall be considered individually on their respective merits by State respondents within period of two months from today. With these directions, writ petition is partly allowed. No costs.

JUDGE

JUDGE

Hirekhan