

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

WRIT PETITION NO. 7218 OF 2014.

Subhash Maruti Futane & others .vs. The State of Maharashtra & others

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

Mr. A.B. Nakshane, Advocate for petitioners,
Mr. A. D. Sonak, A.G.P. for respondent nos. 1 & 2.

CORAM : B.R. GAVAI & SMT. MRIDULA R. BHATKAR, JJ.

DATED : MARCH 3, 2015.

The petitioners have approached this Court with a grievance that personal hearing has not been given to the petitioners in the proceedings under Section 5-A of the Land Acquisition Act and a notification is passed under Section 6 of the Act.

It is specifically averred in the affidavit-in-reply filed on behalf of the State that notices were issued to the petitioners for hearing under Section 5-A of the said Land Acquisition Act. It has also been categorically stated that the hearing was given on 22.11.2013. The petitioner nos. 1, 2, 11, 24 & 30 filed objections.

It is sought to be contended by the learned Counsel for the petitioners that the hearing is given only to five persons.

However, the learned Counsel does not dispute the receipt of notices under Section 5-A of the Act by all the petitioners. If the petitioners in spite of being served with notice do not choose to appear, the authorities cannot be expected to wait for an unlimited period. In that view of the matter, we do not find that any case is made out for interference.

The Writ Petition is hence rejected.

Judge

Judge

J.