

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 1671 OF 2016

Yeshwant s/o Ganpati Sapkal
& others

.. PETITIONERS

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. S.K. Adkine, advocate for petitioners.
Mr. P.S. Patil, AGP for the State.

=====

CORAM : R.M. BORDE &

A.I.S. CHEEMA, JJ.

DATE : 16th FEBRUARY, 2016.

PER COURT :

1. Petitioners are praying for issuance of directions to respondents to return back the lands to the land holders - petitioners since the said property has not been utilised by the State Government, after acquisition, for the purpose for which it was acquired. It is not a matter of dispute that the property belonging to petitioners has been acquired in the year 1971 or prior thereto and the amount of compensation has been received by petitioners. The agricultural property has been transferred by the State Government to a different department for its proper utilisation. Petitioners do not have any legal entitlement to demand the property back since it vests with the State Government and, the same can be utilised for any public purpose of the State Government. Excess land with the State Government shall have to be disposed of in accordance with the priorities prescribed under the Maharashtra Land Revenue Code and the petitioners do not have

any entitlement to claim the property back. In view of above, writ petition stands disposed of.

(A.I.S. CHEEMA)
JUDGE

(R. M. BORDE)
JUDGE

dyb