

-1-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1756 OF 2011

HARISCHANDRA RAMA CHAVAN
VERSUS
THE STATE OF MAHRASHTRA AND ORS

Advocate for Petitioners : Naikwade Shivaji K.
AGP for Respondents: Mr.S.N.Morampalle
Advocate for Respondent no.3 : Mr.P.R.Tandale

CORAM : S.S.SHINDE &
V.L.ACHLIYA,JJ.

DATED : 8TH MARCH,2016

PER COURT :-

Heard.

2] This petition is filed with following prayers "B" and "C"

"B] By issuing writ of mandamus or directions in the like nature the respondents may kindly be directed to initiate land acquisition proceedings for acquisition of submerged land of the petitioner admeasuring 31R situated in Sy. No.38 situated at Sattadharwadi, Tq. Ausa, Dist.Latur.

C] By issuing writ of mandamus or directions in the like nature direct the respondents to pay the damages since 03.07.2004 at the rate of

Rs.15,000/- per annum."

3] So far as prayer clause "B" is concerned, counsel appearing for respondent no.3 has tendered across bar the letter addressed to him by the Executive Engineer, Minor Irrigation, Zilla Parishad, Latur and he submits that the Zilla Parishad, Latur will forward the proposal to the District Collector for initiating the land acquisition proceedings within one month from today. In case such proposal is submitted by Zilla Parishad within four weeks from today, we direct the Collector to take expeditious steps for initiating the land acquisition proceedings. Needless to observe that since the new Act is in force, proposal which will be submitted by respondent Zilla Parishad, should be in the light of the provisions of New Land Acquisition Act.

4] So far as prayer clause "B" is concerned, the petitioner will be at liberty to avail appropriate remedy as available in law. We have not adjudicated or expressed any opinion about prayer clause "B".

5] With above observations, Petition stands disposed of. Parties to act upon authenticated copy of this order.

(V.L.ACHLIYA,J.)

(S.S.SHINDE,J.)

umg/