

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

WRIT PETITION NO. 2235 OF 2013

Ramrao S/o Narayanrao Kale
and Another

.. Petitioners

Versus

The State of Maharashtra and Others .. Respondents

Shri M. S. Shaikh h/f Shri Sachin S. Deshmukh, Advocate for
Petitioners.

Shri A. M. Phule , A. G. P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 12TH JANUARY, 2016.

PER COURT :-

1. The learned counsel for the petitioners submits that, the land of the petitioners were acquired for the purpose of Suna Project Colony at Himayat Nagar, District – Nanded. The possession was also taken by the respondent. Thereafter it was intimated to the petitioners that the land was acquired for Painganga Project and irrigation purpose. The acquisition proceedings were undertaken, the award is also passed in the year, 1987, however, the land is not being put to the use for which it was acquired. As such, the land be returned back to the petitioners.

2. The learned A. G. P. submits that, the land is being used for the project and its allied purpose.

3. We have considered the submissions.

4. It is not disputed that, the petitioners have accepted the compensation amount and further reference was also filed for enhancement of compensation. Representations were also filed. Pursuant to the same on 06th February, 2012, the Deputy Collector, Land Acquisition has intimated the petitioners that the land acquired can not be returned back. It is also intimated by the Information Officer vide letter dated 26.03.2012, that the land in question is acquired for Painganga Project and irrigation purpose and the said land is being used for allied purpose of the said project.

5. In light of the above, the petitioners do not have any vested right to get the land back. The land as is stated by the respondent is being used for the allied and the consequential purpose of the project for which it is acquired.

6. Writ petition, as such, is disposed of. No costs.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]

sam/Jan.15