

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.6059 OF 2015**Santaram S/o Dajiba Dongre Vs. The Divisional Commissioner
(Revenue) Aurangabad Division, Aurangabad and another.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.G.B.Kulkarni, advocate for the petitioner.
 Mr.B.V.Virdhe, A.G.P. for the State.
 Mr.V.V.Pawar, advocate holding for Mr.S.S.Tope,
 advocate for Respondent No.4.

**CORAM : S.V.GANGAPURWALA AND
 K.K.SONAWANE, JJ.**
Date : 10.08.2016.

PER COURT :

1. Heard.
2. Mr.Kulkarni, learned counsel submits that though the land of the petitioner is affected in the acquisition, however, no award has been passed in respect of the affected land of the petitioner. The land of the petitioner to the extent of 3 acres from Gat No.140 is affected. In the additional proposal submitted, it is stated that only 20 Ares land of the petitioner from Gat No.140 is affected which is erroneous.
3. Mr.Virdhe, learned A.G.P. states that the acquisition

proposal for the acquisition of additional land has been prepared and the notification U/s 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, has been issued on 18.2.2016 and the process would be completed and if there is any discrepancy in the land of the petitioner to be acquired, it will be resolved by fresh joint measurement by the office of the Deputy Director of Land Records U/s 20 of the Act of 2013.

4. In view of the fact that additional proposal for acquisition of the land of the petitioner has already been submitted and notification U/s 11 of the Act of 2013 is also issued, the grievance of the petitioner to a large extent stands redressed. There is a dispute with regard to the area of the petitioner's land to be affected. The affidavit filed by the Sub-Divisional Officer, Partur, categorically states that if there is any discrepancy in the land which is going to be acquired, the same will be resolved by joint measurement U/s 20 of the Act of 2013. The petitioner certainly would be present at the time of joint measurement and the same can be resolved at that time.

5. The Writ Petition is disposed of. No costs.

(K . K . SONAWANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.10.08.2016.

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