

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

WRIT PETITION NO. 6891 OF 2015

Nivrutti Ganpat Wackchaure .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri R. D. Bhalerao, Advocate for the Petitioner.
Ms. S. S. Raut, A.G.P. for Respondent Nos. 1 to 4.

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

DATE : 14TH JANUARY, 2016.

PER COURT :

. Mr. Bhalerao, the learned counsel for the petitioner submits that, this Court in Writ Petition No. 4411 of 2014 vide order dated 28th August, 2014, had directed the petitioner to approach the Collector and District Rehabilitation Officer for redressal of the grievance regarding rehabilitation. Pursuant to the said order petitioner had filed an application on 09.09.2014 with the respondent No. 3. However, no action or decision is taken by the respondent No. 3 on the said application.

2. The learned A. G. P. states that, the Land Acquisition Officer has filed affidavit in reply and made position clear.

3. We have considered the submissions canvassed by learned counsel for respective parties.

4. The aspect about rehabilitation has to be considered by the respondent No. 3 who is competent Authority. There are rival contentions of the petitioner and the Rehabilitation Officer with regard to the existence of the house. It would be appropriate for the respondent No. 3 to consider the same.

5. In light of that, we pass the following order.

6. The respondent No. 3 shall decide the application (Exh. A page 17) filed by the petitioner with regard to rehabilitation expeditiously and preferably within a period of three (3) months, on its own merits, in accordance with law and policy. The learned A. G. P. shall communicate this order to the respondent No. 3. The writ petition is accordingly disposed of. No costs.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]