

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.10292 OF 2012
(Shahram s/o Rajaram Sarode, Died per L.Rs. Murlidhar s/o Shahram Sarode & ors.
Vs. The State of Maharashtra & ors.)

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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Shri A.P. Gaikwad, Advocate holding for
Shri S.S. Kazi, Advocate for petitioners
Shri V.M. Kagne, A.G.P. for State

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CORAM : R.M. BORDE AND
A.I.S. CHEEMA, JJ.

DATED : 29th January, 2016.

1. The petitioners are praying for issuance of directions to the respondents to take decision on the representation tendered by the petitioner on 11.9.2012 in respect of claiming return of the acquired landed property. It is not a matter of dispute that the property has already been acquired in 1976. In the event of failure of the State to utilise the property for the purpose for which it was acquired, it is open for the authorities to utilise it for other purpose, or in the event of decision of the State Government to dispose of the property, the same shall have to be disposed of in accordance with the priorities prescribed under the Land Revenue Code. The petitioners do not have any entitlement to claim the property back more so after a period of 40 years from the date of acquisition. Writ Petition is devoid of substance. Hence, same stands rejected.

(A.I.S. CHEEMA, J.) (R.M. BORDE, J.)