

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 408 OF 2016

Sonba Bhudhaji Pasalkar & Ors.	.. Petitioners
V/s	
State of Maharashtra & Anr.	.. Respondents

Mr. A.V. Anturkar, Senior Advocate with Mr. A.A. Anturkar i/b Mr. Sugandh Deshmukh for the petitioners.
Mr. M.M. Pabale, AGP for the State.

**CORAM: DR. MANJULA CHELLUR, CJ. &
M.S. SONAK, J.**

DATE : 19th DECEMBER 2016

P.C.:

The present petition was filed challenging the cancellation of land allotted to the petitioners on the ground that already a land was granted to them on in village Gopalwada, Taluka Daund, District Pune.

2. The petitioners are project affected persons. Their land was acquired for Veer Baji Pasalkar Project. Apparently in lieu of the land acquired, other land said to have been given to the petitioners in village Gopalwada, Taluka Daund, District Pune. Subsequently, according to the petitioners, this land in Daund Taluka was returned by the petitioners on the ground of non-suitability or otherwise and

had sought for allotment of land at village Khed, Taluka Haveli, District Pune. Though the land in village Khed in Taluka Haveli was allotted, later it was cancelled on the ground that already land in Taluka Daund is granted to the petitioners. The grievance of the petitioners is without hearing the petitioners, the said allotment was cancelled and now they have left with neither the land in Daund Taluka nor in Haveli Taluka.

3. In that view of the matter, we direct the respondent authorities to give a hearing to the petitioners so far as the reason recorded for cancelling the allotment of land in Haveli Taluka, and the petitioners are at liberty to produce before the authorities that they have not taken any benefit of the land allotted to them in Daund Taluka. The entire exercise has to be completed within 3 months from the date of receipt of copy of this order. For the purpose of consideration of representation of the petitioners, the impugned order dated 14th December 2015 passed by the 2nd respondent – Additional Collector and Deputy Director of Rehabilitation, Pune, is set aside.

4. With these observations, the writ petition is disposed of for.

(M.S. SONAK, J.)

CHIEF JUSTICE