

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4172 OF 2016**

Shri. Pandurang P. Borade and anr. .. Petitioners

V/s.

The Collector of Pune and ors. .. Respondents.

Mr. Rahul V. Shinde i/b Dhananjay K. Charan for the Petitioners.

Mr. P.P. Kakade, AGP for the Respondent-State.

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

DATE : 19 DECEMBER 2016.

PC.

1] The petitioners claim to be project affected persons, since their land was acquired for the Chaskaman Irrigation Project. It is the case of the petitioners that they have already deposited a portion of the occupancy price with the respondents and they are also otherwise eligible for allotment of alternate land as and by way of rehabilitation. For this purpose, the petitioners state that they have made representation dated 19 October 2015 to the respondent authorities. However, such representation is not being considered by the respondent authorities.

2] Mr. P.P. Kakade, learned AGP for the Respondent-State, submits that the issue of petitioners eligibility or entitlement may not be decided by this Court, at this stage, since, detailed examination is necessary as to whether the petitioners are indeed eligible or entitled to the benefits of the rehabilitation. However, the respondents will dispose of the petitioners representation dated 19 October 2015, in accordance with law expeditiously.

3] At this stage, it is not possible for us to determine whether the petitioners are entitled to or eligible to receive the benefits of the rehabilitation. However, we are of the opinion that there is no justification on the part of the respondents in not taking some decision in this matter expeditiously. Normally, request for rehabilitation made by persons affected by projects like irrigation projects must be expeditiously dealt with. This will enable such person to know, whether or not, some rehabilitation can be expected from the State Authorities.

4] Accordingly, we direct the respondents to dispose of the petitioners' representation dated 19 October 2015 strictly, in accordance with law and on its own merits, as expeditiously as possible and in any case within a period of three months from today. The respondents to communicate their decision to the petitioners within the said period.

5] In case, the respondents find that there are any deficiencies in the petitioners' representation or if there is necessity for the petitioners to submit any further particulars or documents, the respondents may call upon the petitioners to remove deficiencies or to provide for such documents.

6] With the above directions, this petition is disposed of. There shall, however, be no order as to costs.

7] All concerned to act on the basis of authenticated copy of this order.

(M.S.SONAK, J.)

(CHIEF JUSTICE)