

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 3780 OF 2016**

Shri. Shripati H. Wadkar  
V/s.

.. Petitioner

The District Resettlement Office  
(DRO) Dist. Solapur and ors.

.. Respondents.

Mr. Rahul V. Shinde i/b Dhananjay K. Charan for the Petitioner.  
Mr. P.P. Kakade, AGP for the Respondent-State.

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

**DATE : 19 DECEMBER 2016.**

P.C.

1] The petitioner claims that his agricultural property bearing Survey No. 36/2 admeasuring 0.13 ares, at Mouje Waygaon, taluka Wai, district Satara, was acquired by the State Government for the purposes of Dhom Dam Irrigation Project sometime in the year 1970.

2] Pursuant to the option offered, the petitioner has opted for allotment of alternate lands as and by way of rehabilitation. It is the case of the petitioner that for this purpose, the petitioner has even deposited purchase price of Rs.12,912/-. The petitioner states that despite compliance with all the prescribed formalities and deposit of amount as aforesaid, the petitioner has not been allotted land as and by way of rehabilitation. Therefore, the petitioner, by his lawyer's notice dated 25 January 2016, requested the respondents to expeditiously allot alternate land by way of rehabilitation. The petitioner relies upon the order dated 29 February 2016 in Writ Petition No. 936 of 2015 where, according to the petitioner, in similar circumstances, directions

were issued by this Court for allotment of land to project affected persons.

3] Mr. P.P. Kakade, learned AGP for the Respondent- State, submits that the issue of entitlement and eligibility of the petitioner is required to be ascertained. However, he submits that the State Authorities shall treat the legal notice dated 25 January 2016 as a representation on behalf of the petitioner and dispose of the same expeditiously.

4] At this stage, it is not possible for us to decide the issue of entitlement or eligibility of the petitioner for the benefit of rehabilitation. However, if the petitioner's land has indeed been acquired for the purposes of Dhom Dam Irrigation Project and further, the petitioner was also required to deposit the occupancy price for alternate lands, then there is no justification on the part of the respondents in not taking some decision one way or the other, in the matter of grant of rehabilitation to the petitioner. The minimum that is expected is that the respondents expeditiously consider the aforesaid representation of the petitioner and take some decision thereon, at an early date.

5] Accordingly, we direct the respondents to treat the legal notice dated 25 January 2016 as also the present petition itself as a representation and to dispose of the same, 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 petitioner within the said period.

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

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

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

**(CHIEF JUSTICE)**

**(M.S.SONAK, J.)**