

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1623 OF 2016

Suresh Dhondi Bhalekar & ors .. Petitioners

Versus

The Deputy Director for Rehabilitation
and Collector Kolhapur District,
Kolhapur and others .. Respondents

Mr.Kedar Lad with Mr.PD.Dalvi, Advocate for the petitioner.

Mr.Vishal Thadani, AGP for respondents.

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

DATE : 27th September 2016

P.C.:

1 The petitioners before us are the Project Affected Persons of the Patgaon Irrigation Project. Way back in 2000, an award came to be passed in respect of acquisition of lands of the petitioners in Gat No.157 by Award dated 20th September 2000. The acquisition of the land was for increasing the height of the land proposed in the

area. The petitioners were declared as Project Affected Persons since entire land of the petitioners was affected on account of heightening of the dam. In terms of the scheme, no land was allotted to the petitioners though they are entitled for 0.40 Ares of land. The so-called rehabilitation is incomplete. In spite of several requests, there is no response by taking a decision for the rehabilitation of the petitioners in question. The very scheme is proposed for the rehabilitation of Project Affected Persons who lose their lands, thereby livelihood for the public purpose. If such persons are ignored in the guise of public purpose, and if the Rehabilitation Scheme is delayed, the project affected persons and their families would be thrown to streets since their livelihood is taken away, but no alternative rehabilitation programme is complied with. After waiting for 12 years after the acquisition of the land, the petitioners having lost hopes that they would see the light of the day, have approached this Court. The petitioners cannot be made to wait for the fruits of the benefits of the rehabilitation scheme for generations to come. Having lost their livelihood, they have every right to expect completion of the project so that they see the fruits of the scheme in

their life time. The respondent authorities are bound to address grievance of the petitioners, of course, strictly in accordance with the procedures contemplated.

2 We dispose of the Writ Petition by directing the respondent authorities to treat the Writ Petition as a representation and dispose of the grievance of the petitioners within two months from the date of receipt of this order.

(M.S. SONAK, J.)

(CHIEF JUSTICE)