

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO. 6243 OF 2016

Govind Bala Gade

..Petitioner

v/s.

The State of Maharashtra & Ors.

..Respondents

Mr. S.M.Sabrad for the Petitioner.

Mr. PP .Kakade, AGP for the State.

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI,JJ.

DATED : JUNE 21, 2016.

P.C.

1. Heard Mr. Sabrad, learned Counsel for the petitioner and Mr. Kakade, learned AGP.
2. The petitioner, by this petition is seeking direction to the respondent no.2 to direct his officers to delete the entries of reservation for the project affected persons from the other rights column of the 7 x 12 extract of the land bearing Gat No. 200, admeasuring 80 Ares, situated at Mouje Kharpudi, Taluka Khed,

District Pune .

3. The learned Counsel submitted that the subject land is excluded from the award dated 30.3.1991 passed by the Special Land Acquisition Officer No.24, Pune , under Section 11 of the Land Acquisition Act, 1894. He submitted that supplementary award is also not passed so far and therefore acquisition proceedings are lapsed.

4. Mr. Kakade, the learned AGP, does not dispute the above position. He submits that in similar circumstances, Writ Petition No.11917 of 2015 (Shri Bhimrao Buchade v. State of Maharashtra) and connected writ petitions came to be filed and the Division Bench of this Court directed the respondents to delete entries of reservation from the revenue record of the land of the petitioners therein. Copy of the order in the said writ petition is annexed at Exhibit H to the petition.

5. Thus, it is clear that the acquisition proceeding in respect of the subject land has not been completed within the stipulated period. The said proceeding therefore stand lapsed.

6. Mr. Sabrad, at this stage, makes a statement that the petitioner

neither has received any compensation in respect of the subject land, nor the possession thereof is taken by the respondent. This statement is also not disputed by Mr. Kakade, the learned AGP.

7. In the light of the above, we dispose of the petition by directing the respondent no.2 to direct the officer to delete all reservation of the project from the other right column in the 7 x 12 extract of the land bearing Gat No. 200, admeasuring 80 Ares, situated at Mouje Kharpudi, Taluka Khed, District Pune, within a period of six weeks from the date of receipt of this order.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)