IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 6742 OF 2016

Sampat Jayavant Buchade ..Petitioner

v/s.

The State of Maharashtra & Ors. ..Respondents

Mr. S.M.Sabrad for the Petitioner.
Mr. P.P .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 facts of the present case and the facts of Writ Petition No.6243 of 2016 are identical. The contention of the petitioner in this petition is also that the acquisition proceedings in respect of the subject land are lapsed. In this petition affidavit is filed by Shama Sushilkumar Pawar, Deputy Collector (Land Acquisition) No.22, Pune. In the said affidavit, in para 2 following averments are made:

"I say that the Respondent No.3 started the acquisition

proceeding of the reserved lands of village Marunji and village Hinjawadi. However, the District Rehabilitation Officer, Pune has filed the proposal to withdraw the said lands from the acquisition to the Government of Maharashtra and therefore, the acquisition proceeding started by the present respondent no.3 could not be completed and same was lapsed."

3. Thus, acquisition in respect of the subject land admeasuring 81 R from and out of land bearing Survey No. 25/1/1/A, situated at Mauje Marunji, Taluka Mulshi, District Pune , is admittedly lapsed.

4. We, therefore, allow the petition and direct 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 land admeasuring 81 R from and out of land bearing Survey No. 25/1/1/A, situated at Mauje Marunji, Taluka Mulshi, District Pune.

(ANUJA PRABHUDESSAI, J.) **(RANJIT MORE, J.)**