

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

**WRIT PETITION NO. 10676 OF 2016**

Shivaji T. Patil and ors.

.. Petitioners

V/s.

Collector and Dy. Director for  
Rehabilitation and ors.

.. Respondents.

Mr. Kedar Lad i/b Mr. P.D. Dalvi for the Petitioners.

Ms S.S. Bhende, AGP for Respondent – State.

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

**DATE : 19 DECEMBER 2016.**

PC.

1] Apparently, the lands of the petitioners were acquired for the Dudhganga Project. The petitioners demanded lands in Gat No.418/1 situated at Kagal Village in Kolhapur District. Those lands were acquired for distribution to project affected persons. Complying with the provisions of the Land Acquisition Act, 1894, the owners of said land approached this Court seeking de-notification of the land for non-complying with certain provisions. However, the writ petition of the owners came to be allowed in part, remanding the matter to the concerned Divisional Commissioner, Pune Division, to consider the representation of the owners filed under section 48 of the Land Acquisition Act, 1894.

2] According to the petitioners, the Divisional Commissioner though rejected the application of the owners of the land in Gat No. 418/1 way back in 2014, till date, the representation of the petitioners seeking allotment of the abovesaid land in the abovesaid Gat number is

not considered. The respondents have not placed on record any impediment, which could be termed as legal for not considering the representation of the petitioners since the writ petition of the owners of Gat No. 418/1 is taken to a logical end. In the light of the above circumstances, we direct the respondent authorities to consider the representation of the writ petitioners for allotment of alternate land in Gat No. 418/1 of Kagal Village strictly adhering to the procedure contemplated within three months from today or from the date of receipt of a copy of this order.

3] Accordingly, the petition is disposed of.

**(CHIEF JUSTICE)**

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