

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****PUBLIC INTEREST LITIGATION NO. 5 OF 2016**

Mrs. Sarala Sopan Thorat	..	Petitioner
versus		
State of Maharashtra & Ors.	..	Respondents

Mr. Uday Warunjikar i/b. Ms Aarti Bhide and Mr. Gajanan Shinde for
Petitioner.

Mr. Vishal Thadhani – AGP for State.

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

DATE : 16 SEPTEMBER 2016

P.C.:

- 1] Heard learned counsel Mr. Warunjikar.
- 2] We have gone through the contents of the writ petition. The main contention raised in the writ petition is the lands which were demarcated as “Gayran” were acquired way back in 2007 for the purposes of establishment of a sugar factory. The papers annexed to the writ petition indicate that in 2003 itself the process of acquisition by verification of lands to be acquired was commenced. Acquisition is over long ago and even the sugar factory for whom the lands were acquired is established. This is the fair submission of learned counsel for the petitioner.
- 3] According to the petitioner though the sugar factory is established and has become functional, still the court can intervene

since there is violation of basic procedure while acquiring the lands for the said purpose of establishing a sugar factory. Be that as it may. The fact remains at this stage, that too in the absence of any of the villagers coming forward to question the same who should ought to have raised objection way back in 2007 when the lands were proposed to be acquired, we are of the opinion that at this belated stage we need not look into the matter. If any portion of the lands are not used for the purposes of establishment of factory, it is left to the respective owners, if they are entitled in law to approach the concerned authorities for any redressal, if permissible in law.

4] With these observations, writ petition is disposed of.

CHIEF JUSTICE

(M. S. SONAK, J.)

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