

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 2482 OF 2014****Sudhakar Ramchandra Mahajan****..... Petitioner****VERSUS****The Collector of Solapur & Ors.****..... Respondents**

Mr.S.A.Sawant for the Petitioner.

Mr.Asif Patel, A.G.P. for the State – Respondent nos. 1 to 7.

**CORAM : SHANTANU KEMKAR &
M.S.KARNIK, JJ.****DATE : JUNE 21, 2016****P.C.**

The grievance of the petitioner is that his land admeasuring 3 Hector 62 Are situated at Village Nimgaon (T), Taluka Madha, District Solapur was acquired for public project for making percolation tank at Solapur in the year 1987 but till date, the petitioner has not been given benefit of resettlement. The respondents have filed reply and have stated that since the land of the petitioner was acquired prior to coming into force of Resettlement Act, 1976 and as such he is not entitled for the benefit of resettlement. Learned counsel for the petitioner in reply submits that a G.R. was issued on 15th November, 1991 which deals with such situation. He submits that the respondents without taking into consideration the said G.R., has filed the reply.

2. Having considered the submissions made by the learned counsel for the parties, we are inclined to dispose of this petition by directing the 2nd respondent District Resettlement Officer, Solapur to consider the petitioner's grievance afresh

keeping in view the circular dated 15th November, 1991.

3. Let the decision as aforesaid be taken afresh by 2nd respondent within eight weeks from the date of the appearance of the petitioner before him. The petitioner to appear before the 2nd respondent on 4th July, 2016. Needless to say that we have not expressed any opinion about the petitioner's claim and the 2nd respondent shall take appropriate decision in accordance with law keeping in view all the relevant documents and the G.Rs. as may be relevant for the purposes of deciding the controversy involved. The petitioner is permitted to file additional documents in support of his claim before the 2nd respondent. Writ petition is disposed of.

[M.S.KARNIK, J.]

[SHANTANU KEMKAR, J.]