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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION No.71 OF 2016

Nilesh Govindrao Nagrale and another.

-Vrs.-

The State of Mah. Through its Secretary, Irrigation Deptt. Mantralaya, Mumbai and 5
others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. P.S. Kshirsagar, Advocate for petitioner.
Mr. S.M.. Ukey, AGP for respondent nos. 1 to 4 & 6.
Mr. S.G. Jagtap, Advocate for respondent no. 5.

CORAM : B.R. GAVAI AND V. M. DESHPANDE, JJ.

DATED : 28th JULY, 2016

The petition has been filed with a grievance that proper facilities are not provided in the rehabilitated village Kohal. It is further the contention of the petitioner that the package amount as has been granted to other affected families has not been granted to them and therefore, the respondents have discriminated between them.

As against this, the learned counsel for the respondent no. 5 states that the compensation has been granted only to the persons who own the land and where the houses were constructed. It is further contended that the petitioners have constructed houses on the government land after encroaching upon it.

The learned Additional Government Pleader has placed on record affidavit-in-reply stating therein about the facilities provided at the site.

We prima facie find that all the infrastructural facilities are provided in the rehabilitated site at Kohla.

In so far as other issues regarding compensation for construction of houses are concerned, the petitioners shall make representation to respondent no. 3 Collector. If the respondent no.3 finds that any of the petitioners are entitled to any additional relief, he shall pass appropriate order which shall be complied with by the respondent no.5.

The petition is disposed of with aforesaid observations.

JUDGE

JUDGE

Hirekhan

CERTIFICATE

I certify that this Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : R.B. Hirekhan.

Uploaded on:30-07-2016.

P.A.