

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

WRIT PETITION NO.394/2015

Bhagwat Sitaram Kohar and others

...Versus...

State of Maharashtra through Secretary, Department of Irrigation, Mantralaya,
Mumbai – 32 and others

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

Court's or Judge's orders

Shri H.M. Bobade, Advocate for petitioners
Ms Tajwar Khan, AGP for respondent nos.1 to 3

CORAM : SMT. VASANTI A. NAIK AND
A. S. CHANDURKAR, JJ.

DATE : 20.01.2016

By this petition, the petitioners challenge the Section 4 notification published by the State Government on 14.8.2014 under the Land Acquisition Act, 1894, as illegal.

According to the petitioners, the State Government could not have published the notification under Section 4 of the Land Acquisition Act, 1894 after the coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 on 1.1.2014.

It appears on hearing the learned Counsel for the parties that the cause for filing the writ petition has been rendered infructuous, inasmuch as the State Government has published a notification under Section 11 of the Act of 2013. If

the petitioners are of the view that the issuance of Section 11 notification under the Act of 2013 suffers from any illegality, the petitioners are free to challenge the same.

Since the cause for filing the writ petition has been rendered infructuous, the writ petition is disposed of with no order as to costs.

JUDGE

JUDGE

Wadkar