

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

936 WRIT PETITION NO. 330 OF 2015
WITH WP/2040/2014 WITH WP/2084/2016 WITH CA/12922/2016 IN
WP/2084/2016 WITH CA/276/2017 IN WP/2084/2016

BHEEMABAI PANDHARINATH SHELKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. S. B. Talekar i/by Talekar
and Associates, Mr. A. B. Kale h/for Mr. D.D. Pokharkar and
Adv. Mr. S.S. Kulkarni

AGP for Respondents State: Mrs. M. A. Deshpande
Advocate for Respondents No.4 : Mr Nitin R. Bhavar
Advocate for Respondent No.5 : Mr. Ashiwin V.Hon

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 7th February, 2017

ORDER:

1. Mr. Bhavar, the learned counsel appearing for the Acquiring Body submits that the resolution is already passed seeking not to acquire the land of reservation No. 39, admeasuring 4 H 44 R and to cancell the reservation. Copy of the same is already forwarded to the Sub Divisional Officer for taking further steps pursuant to the said resolution. The learned AGP states that in the said communication, the Acquiring Body did not make it clear about the further steps to be taken pursuant to the resolution. Mr. Bhavar, the learned counsel states that the said resolution is forwarded to the Sub Divisional Officer for taking further steps of

not taking acquisition proceedings and to cancel the acquisition proceedings. the learned counsel submits that the Sub Divisional Officer may take further steps for cancelling the acquisition proceedings.

2. The statement made on behalf of the Acquiring Body is accepted. In view of the said statement, nothing survives for adjudication in the writ petition.

3. The Land Acquisition officer shall take further steps in view of the communication received from the Acquiring Body, in accordance with law, expeditiously preferably within one months.

4. In case the petitioners have some other grievances, they are entitled to agitate the same in the appropriate proceedings.

5. The parties make take appropriate steps with regard to the cancelling of reservation.

6. In view of the above, the writ petitions stand disposed of. In view of disposal of the writ petition, pending civil applications also stand disposed of.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC