

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8488 OF 2016

|                              |   |             |
|------------------------------|---|-------------|
| Shri. Anant Krushna Thakur   | } |             |
| and Ors.                     | } | Petitioners |
| versus                       |   |             |
| The Special Land Acquisition | } |             |
| Officer, Metro Centra No. 2  | } |             |
| and Anr.                     | } | Respondents |

Mr. S. S.Kulkarni for the petitioners.

Ms. M. P. Thakur-AGP for State.

CORAM :- DR. MANJULA CHELLUR, C.J. &  
N.M.JAMDAR, J.

DATE :- AUGUST 2, 2017

P.C. :-

1. The petitioners are before this court expressing a grievance in not disposing of an application filed by them under section 28A of the Land Acquisition Act, 1894. The Land Acquisition Officer concerned has filed an affidavit explaining the course of action taken on the application. Paragraphs 4 and 5 of the affidavit in reply clearly indicate the action taken and also the reference under section 28A being pending. Paragraphs 4 and 5 of the affidavit in reply read as under:-

“4. I say that the applications at Exh. A to the writ petition, of the Petitioners made under Section 28A of Land Acquisition Act, 1894 have been decided by this

Respondent and Award under Section 28A in respect of the land of the Petitioners was passed. Hereto annexed and marked as **Exhibit 1 Colly.** are copies of the Awards.

5. I say that the Petitioners' application in respect of the land at sr. no. 7 i.e. Survey No. 15/12 and 19/2, mentioned at Exhibit A to the writ petition, is pending before me and the matter will be decided at the earliest in accordance with law by following the due procedure.”

2. In that view of the matter, we are of the opinion that nothing remains for us to consider in the matter on merits. Accordingly, the writ petition is disposed of in the light of the above observations.

(N. M. JAMDAR, J.)

(CHIEF JUSTICE)