

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4274 OF 2016**

Shri. Namdeo Kashinath Mhatre	}	
and Ors.	}	Petitioners
versus		
The Special Land Acquisition	}	
Officer, Metro Centre 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 application of the Petitioners made under Section 28A of Land Acquisition Act, 1894 is decided by this Respondent and Award under Section 28A in respect of the land of the Petitioners was passed on 17.2.2017. Hereto annexed and marked as **Exhibit 1** is copy of the Award dt. 17.2.2017.

5. I say that the Petitioner has filed Reference under Section 28A(3) to this office on 20.2.2017. This Respondent has forwarded the Petitioners' Reference under Section 28A(3) to the District Court, Alibaug, on 23.2.2017. Hereto annexed and marked as **Exhibit 2** is copy of the Reference forwarded to the District Court, Alibaug. Therefore, nothing survives in the present writ petition.”

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)