

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3363 OF 2015

Prakash Meghraj Chauhan ... Petitioner.

Versus

The State of Maharashtra
and others ... Respondents.

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Mr. A.Y. Sakhare, Senior Counsel a/w Mr. Uday B. Nighot for the
Petitioner.

Ms. Nisha Mehra, AGP for Respondent Nos. 1, 2, 4 and 5

Mr. Aniruddha A. Garge for Respondent No.3.

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***CORAM : Smt. Vasanti A Naik &
Riyaz I. Chagla, JJ.***

DATE : 07th December, 2017.

P.C. :

Heard.

Though several prayers are made in this writ petition, Mr. Sakhare, the learned senior counsel appearing for the petitioner states that the grievance of the petitioner would stand redressed if this Court directs the respondents to acquire the land of the petitioner within a time frame under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is stated that since the State Government and the Lonavala Municipal Council are desirous of acquiring the land of the petitioner, a direction may be issued to them to pass the award within a time frame.

The learned Assistant Government Pleader appearing for the State Government and the learned counsel for the Lonavala Municipal Council state on the basis of the affidavit-in-reply filed on behalf of the respective respondents that the Lonavala Municipal Council was asked to deposit certain amount on the earlier occasion and if the Lonavala Municipal Council deposits the said amount, the process for acquiring the land of the petitioner could be initiated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The learned counsel for the Lonavala Municipal Council states that some amount was deposited initially and now as per the demand-request of the State Government, the Municipal Council is ready to deposit the sum of the Rs.2,92,74,400/- with the land acquisition officer within a reasonable time.

By accepting the statements made on behalf of the concerned respondents, we dispose of the writ petition with a direction against the respondent-Municipal Council to deposit the amount of Rs.2,92,74,400/- within three months and with a direction to the State Government to take steps for acquisition of the land under the provisions of the Act of 2013 and issue the preliminary notification within four months. It is needless to mention that the steps under the Act of 2013 should be taken by the State Government and the award should be passed as early as possible. Order Accordingly. No costs.

(Riyaz I. Chagla J)

(Smt. Vasanti A Naik, J)