

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3863 OF 2014

Kamal Baburao Thorbole. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Dhananjay Lonkar for the petitioner.
Mrs.M.P.Thakur, AGP for the State.
Akshay Shinde i/b. A.M.Kulkarni for respondent No.3.

**CORAM : DR.MANJULA CHELLUR, C.J.
AND G.S.KULKARNI , J.**

DATE : 20th February 2017.

PC. :

By filing affidavit-in-reply of the Deputy Engineer, Public Works Sub Division, Tasgaon, District- Sangli, the respondents have placed on record that a land admeasuring 43.5 Ares from Gat/Survey No.953, Hissa No.2, Taluka- Tasgaon, District- Sangli is required for formation of Ring Road to Tasgaon city. The said Ring Road will connect two State Highways bearing Nos.60 and 155. According to them, by notification dated 3rd January 2017, the Central Government has already declared the said two State Highways as National Highways and new National Highway numbers are 160 and 266 respectively.

2. According to the respondents, in the meeting of high officials from Public Works Department of the State Government (acquiring body), it has been agreed that a land admeasuring 43.5 Ares from Gat/Survey No.953 is required for the formation of Ring Road to connect two State Highways which are now declared as National Highways and at the earliest they would initiate proceedings for acquisition of land in terms of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (“Act of 2013” for short). In that view of the matter, it is clear that the earlier notification for acquiring the land has lapsed and, if at all the land in question is required, it has to be acquired afresh.

3. It is made clear that if the acquisition proceedings are initiated under the Act of 2013, the petitioner certainly will be at liberty to raise his challenge in accordance with the procedure contemplated.

4. With the aforesaid observation, the writ petition is disposed of.

(G.S.KULKARNI, J.)

CHIEF JUSTICE