

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 3781 OF 2016

Shri. Sitaram Gunaji Dhanawade	
Through POA Rajendra P. Hajare	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors	...Respondents

AND

Writ Petition NO. 3782 OF 2016

Shri. Ankush Govind Dhanawade	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors.	...Respondents

AND

Writ Petition NO. 3788 OF 2016

Shri. Baburao Dagadu Dhanawade	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors.	...Respondents

AND

Writ Petition NO. 3806 OF 2016

Shri. Mahadeo Tukaram Dhanawade	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors.	...Respondents

AND
Writ Petition NO. 9072 OF 2016

Smt. Parvati Sitaram More Through POA
Shital Gosul ...Petitioner
Versus
1.The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition NO. 9076 OF 2016

Shri. Balu Anaji Sangpal ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition NO. 9077 OF 2016

Shri. Ravindra Dewaji Shelar ...Petitioners
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition (ST) NO. 26126 OF 2016

Shri. Ankush Ganpat Sanpal ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition (ST) NO. 26120 OF 2016

Shri. Devaji Chandu More ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition (ST) NO. 26121 OF 2016

Shri. Shrawan Krishna Gaikwad ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition (ST) NO. 26122 OF 2016

Shri. Tulaji Rajaram Jadhav (Parte) ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition (ST) NO. 26124 OF 2016

Shri. Dattatrya Shankar (Kumbhar)
Chandanvandan ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition (ST) NO. 26127 OF 2016

Shri. Tulaji Rajaram Jadhav (Parte) ...Petitioners
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND
Writ Petition (ST) NO. 26139 OF 2016

Shri. Maruti Sakharam Jadhav ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND

Writ Petition (ST) NO. 26140 OF 2016

Shri. Hariba Namdev Sapkal (Utekar) ...Petitioners
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND

Writ Petition (ST) NO. 26141 OF 2016

Smt. Hirabai Maruti Kadam ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND

Writ Petition (ST) NO. 26142 OF 2016

Shri. Vithal Kondiba Jadhav (Parte) ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND

Writ Petition (ST) NO. 26144 OF 2016

Shri. Kondiba Rakhamaji Gaikwad (Mahar) ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND

Writ Petition (ST) NO. 26159 OF 2016

Shri. Deepak Krishna Dalavi ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

AND

Writ Petition (ST) NO. 26319 OF 2016

Shri. Krishna Maruti Sapkal	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors	...Respondents

AND

Writ Petition (ST) NO. 26320 OF 2016

Shri. Eknath Babaji Shelar	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors	...Respondents

AND

Writ Petition (ST) NO. 26321 OF 2016

Shri. Pandurang Vithal Gaikwad	
Through POA, Shri Yogesh Gaikwad And Anr	...Petitioners
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors	...Respondents

AND

Writ Petition (ST) NO. 26322 OF 2016

Shri. Ambaji Rakhmaji Jadhav (Parte)	
Through COA, Shri. Ishwar Kolte	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors	...Respondents

AND

Writ Petition (ST) NO. 26324 OF 2016

Shri. Vishnu Kedari Desai	...Petitioner
<i>Versus</i>	
The District Resettlement Office (DRO)	
And Ors	...Respondents

AND
Writ Petition NO. 9071 OF 2016

Shri. Kisan Bali Chikane (Deshmukh) Thorugh
POA Smt. Sudhamati V Patil ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

(MENTIONED. NOT ON BOARD, TAKEN ON BOARD)

AND
Writ Petition NO. 9075 OF 2016

Shri Yashwant Pralhad Jadhav ...Petitioner
Versus
The District Resettlement Office (DRO)
And Ors. ...Respondents

(MENTIONED. NOT ON BOARD, TAKEN ON BOARD)

Mr.Dhananjay K.Chavan with Mr.Rajendra A.Choudhari, for the
Petitioners.

Mr.P. P. Kakade, AGP for the State-Respondents.

CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.
DATE :- JANUARY 24, 2017

P. C. :-

1. The petitioners' Counsel placing reliance on the order dated 19 December 2016 passed by this Bench in Writ Petition No.3780 of 2016 would contend that all these matters pertain to the projects i.e. Dhom Dam Irrigation Project, Koyana Dam Project and

Ujani Dam Project, which came to be acquired under the same notification in the year 1970. According to the learned Counsel, in spite of the land losers (PAPs) have opted for allotment of alternate lands as and by way of rehabilitation and in spite of deposit of the required amounts, they have not been given the allotment of the land and put them in possession of the same. In other words, all formalities for allotment of alternate lands have been complied with, but there is no proper course of action completing the process of rehabilitation being completed on the part of Rehabilitation Officer concerned.

2. Accordingly, the Petitioners seem to have issued notice through their Advocate requesting to expedite the process of disposal of their applications for rehabilitation. They were also required to file Writ Petition No.936 of 2015 which came to be disposed of on 29 February 2016 under similar circumstance. There the Court directed for allotment of alternate lands for project affected persons.

3. Learned Government Pleader Mr.Kakade submits that the fact that all these Writ Petitions are similar to the one which was the subject-matter of Writ Petition No.936 of 2015 as well as Writ Petition No.3780 of 2016, and therefore, same principle can be applied.

4. In the light of the above directions, we are of the opinion that the Respondent-Rehabilitation Officer has to accelerate the process of allotting alternate lands which are already identified to

each of the Petitioners in the above Petitions who are entitled for such allotment only if they comply with the necessary conditions and are entitled. It is needless to say that the consideration of the applications or representations concerned, has to be strictly in accordance with the procedure contemplated, keeping in mind the fact that since 1970 the Petitioners are deprived of benefits of the land belonging to them since they were acquired. They are not put in possession of the alternate land till date.

5. We accordingly dispose of the Writ Petitions by directing the Respondents to treat the legal notice dated 25 January 2016 and also the present petitions itself as representations and dispose them of strictly in accordance with law, based on merits, as expeditiously as possible, in any case not later than three months from today.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)