

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4240 OF 2014

Dhananjay Pandurang Dongare and another. ... Petitioners.
V/s.
Sub-Divisional Officer (Land Acquisition) No.4.
and others. ... Respondents.

Surel Shah for the petitioners.
Mrs.M.P.Thakur, AGP for the State.

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

DATE : 14th March 2017.

P.C. :

Apparently, initiation of acquisition proceeding in this case in terms of section 6(1) as indicated in section 24(1) is subsequent to 1st January 2014 though section 4(1) notification was issued on 4th December 2013 i.e. prior to 1st January 2014. Since acquisition proceeding could be considered as initiated only after section 6(1) notification is issued, we are of the opinion that the present petition can be disposed of in terms of the order dated 1st March 2017 passed in Writ Petition No.2853/2015 (*Shri Shyamsunder Rajaram Chandak v. The Additional Commissioner & others*). The writ petition is, therefore, disposed of accordingly.

2. It is needless to mention that if the land in question is required for formation of road, it is always open to the respondent authorities to initiate fresh acquisition proceeding and take over the land.

(G.S.KULKARNI, J.)

CHIEF JUSTICE