

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7903 OF 2016

Shri Ananda @ Appa Nhanu Vaskar (since
deceased through legal heirs)

Shri Kundalik Ananda Vaskar.

... Petitioner.

V/s.

State of Maharashtra and others.

... Respondents.

Tanaji Mhatugade for the petitioner.

PP.Kakade, AGP for the State.

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

DATE : 16th January 2017.

P.C. :

The petitioner is a project affected person of Patgaon Medium Irrigation Project situated at Bhudargad, taluka and district- Kolhapur. The grievance of the petitioner is that in respect of land being Gat No.367A/1 admeasuring 2 hectores situated at Vandur, taluka- Kagal, district- Kolhapur, no proceedings have been concluded in spite of several representations. As a matter of fact, the petitioner's father was the project affected person and after his

death, the petitioner has produced legal heir certificate. The award for acquisition of the land of the petitioner was made in the year 1992 and till then the petitioner has not been allotted an alternate land. It may be due to non-availability of land which the petitioner has sought or any other problem for allotting the land to the petitioner. Whatever may be the reason, if the Rehabilitation Officer is not in a position to grant or allot the land sought by the petitioner, then he must be able to identify the alternate land so that the petitioner can cultivate the said land for his livelihood.

2. In the above circumstances, we direct the Rehabilitation Officer to take a call in the matter and treat this writ petition as representation of the petitioner and consider whether there is possibility to allot land being Gat No.367A/1 to the petitioner by adopting the procedure contemplated for the same and, if not possible, to allot alternate suitable land to the petitioner after hearing the parties. The entire exercise has to be done within three months from today.

3. With the aforesaid directions, petition is disposed of.

(G.S.KULKARNI, J.)

CHIEF JUSTICE