

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO.7840 OF 2015**

Shri Nagappa Sangappa Mashalkar & Ors.] ... Petitioners

Versus

The Maharashtra Industrial Development]
Corporation (MIDC) & Ors.] ... Respondents

Dr. Ramdas P. Sabban for Petitioners.

Mr. Ankit Kulkarni i/b M/s. Little & Co. for Respondents.

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

DATE :- JANUARY 23, 2017

P. C. :-

1. Heard the learned Counsel for the petitioners.
2. It is not in dispute that the land belonging to the family of the petitioners admeasuring 38.06 Hectares situated at Survey No.190/1 at Village - Solapur, Taluka - North Solapur, came to be acquired between the years 1970 and 1973. It is also not in dispute that several industries have come up on the said land which comprises of 548 Acres and odd. According to the petitioners, the MIDC Board came up with a resolution in the year 2005 to allot the Project Affected Persons (PAPs) 15% of the land for industrial purposes and 5% for commercial purposes from their total acquired land. There

were conditions also with regard to receipt of this benefit to the ongoing project. Thus in 2006, according to the petitioners, there is another Government Resolution providing that all the present PAPs are entitled for such benefit.

3. The petitioners' grievance is that in spite of such G.R. and in spite of several requests and representations, no response of whatsoever nature is given to them so far as their applications submitted in the years 2013 and 2015.

4. Ultimately, the respondents have to see the details under the scheme of extension of benefits applicable in terms of the above two 2005 and 2006 resolutions to the fact of the acquisition pertaining to the petitioners' family land and then apply their mind whether such benefits could be extended to the petitioners as well in terms of 2006 resolution in which even consideration of the PAPs of previous projects were the subject matter.

5. In the above circumstances, we dispose of the Writ Petition by directing the respondents - authorities to consider the representations submitted, including the contents of the Writ Petition, apply their mind and dispose of the matter within three months from today, adhering to the procedure contemplated for implementation of 2005 and 2006 resolutions.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)