

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.758 OF 2016

Shri Deoba Gopal Patil.] ... Petitioner

Versus

The Collector, Kolhapur & Ors.] ... Respondents

Mr. G. M. Savagave for Petitioner.
Ms. S. S. Bhende, AGP for State.

CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.
DATE :- FEBRUARY 08, 2017

P. C. :-

1. The petitioner claims to be a project affected person of an irrigation project named as Tulsi Dam Project. The petitioner is claiming benefit of allotment of an alternate land under the Maharashtra Project Affected Persons Act, 1999. The case of the petitioner is that the petitioner was allotted an alternate land being Gat No.279/A of Village Awali-Budruk, Taluka Radhanagari, District Kolhapur, under an allotment order dated 25/05/1976. It was, however, revealed that the said land was a Devasthan land and therefore even though the petitioner was granted an allotment order, the possession of the said land could not be taken and handed over to

the petitioner. The petitioner, thereafter, pursued the matter with the concerned authorities seeking rehabilitation and allotment of yet another alternate land. Finally, a proposal dated 03/06/2015 came to be submitted by the petitioner to respondent no.2 with a request to allot an alternate land from Village Unchgaon, Taluka Karvir, District Kolhapur, namely, land bearing Gat No.46/4C admeasuring 80 Ares. A copy of the proposal is annexed to the petition at Exh.B. The grievance of the petitioner is that the proposal is, till date, pending consideration of respondent no.2 / State Government, and no action has been taken to allot the alternate land as per the said proposal.

2. Considering the prayers and the limited grievance as made in the present petition, we consider it appropriate to dispose of the present petition by directing respondent no.2 - District Resettlement Officer, Kolhapur, to consider the proposal of the petitioner dated 03/06/2015 for allotment of an alternate land. In addition to the formal proposal as already submitted by the petitioner, the present petition be also treated as a representation of the petitioner for allotment of an alternate land. Respondent no.2 is directed to take a decision on the proposal of the petitioner within a period of six weeks from today.

3. Writ Petition is disposed of in the above terms. There shall be no order as to costs.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)