

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13642 OF 2016

Smt.Hirabai Daulat Netke. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

S.C.Chaturvedi with M.S.More for the petitioner.

PG.Sawant, AGP for respondent Nos.1 to 4.

Sandeep Marne for respondent No.5.

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

DATE : 13th April 2017.

P.C. :

The petitioner has come before this Court challenging the acquisition of her land for First Rapid Transit System Road (FRTSR) pertaining to Pimpri Chinchwad Municipal Corporation. During the pendency of this petition, the acquisition proceedings are completed and the land of the petitioner is acquired and compensation is determined in terms of contested award dated 20th August 2016.

2. Since in the earlier petition i.e. Writ Petition No.11831/2015 we have opined that the petitioners therein who have taken contested awards can approach approach the respondent-authorities with representation to treat their case on par with the case of the petitioners who have taken consent award, we direct that present petitioner to approach the concerned authority with such representation within 10 days from today, which shall be considered by the authority within 15 days from the date of its submission. Depending upon the outcome of the representation, the petitioner is entitled to file application in terms of section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for reference within four weeks from the date of decision and, at that stage, the said application shall be considered without touching the issue of limitation.

3. The status-quo order is vacated and the consequences of the award passed will follow so far as possession of the land is concerned.

4. With the aforesaid observations, writ petition is disposed of.

(G.S.KULKARNI, J.)

CHIEF JUSTICE