

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10709 OF 2015

Shri Suresh Bhausaheb Sagar and others. ... Petitioners.
V/s.
The State of Maharashtra and others. ... Respondents.

Ajay Joshi for the petitioners.
P.P.Kakade, AGP for the State.
Sarang Aradhya for respondent No.3.

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

DATE : 22nd February 2017.

PC. :

According to the petitioners, without adopting due process of law by acquiring the land in question for formation of road, the respondent authorities were trying to dispossess the petitioners from the property in question. Today, respondent No.3 has placed on record a notice dated 20th February 2017 giving an offer to the owners of the property i.e. the petitioners to opt any one suggestion out of three suggestions given in the notice i.e. either to accept monetary compensation or FSI or TDR benefit.

2. In the light of such offer being made by respondent No.3, we direct the petitioners to reply the said notice within a reasonable time of four weeks from today. Depending upon the outcome of amicable talks with regard to acquisition by consent, the petitioners can choose further course of action. It is made clear that, if none of the options indicated in their offer is opted out by the petitioners, the respondent authority has to proceed further strictly adhering to the procedure contemplated for acquisition.

2. With the aforesaid observation and direction, writ petition is disposed of.

(G.S.KULKARNI, J.)

CHIEF JUSTICE