

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12751 OF 2017

Bapu Maruti Bhujbal and Another. ..Petitioners.

Versus

The Divisional Commissioner, Pune
Division, Pune & Others. ..Respondents.

Mr. Y. B. Lengare for the Petitioner.
Mr. P. G. Sawant, AGP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **December 20, 2017.**

P. C. :

1. Heard the learned Counsel for the Petitioner and the
learned AGP for the State. Petition is filed for following relief :

“[b] that this Hon'ble Court by way of appropriate writ, order or direction be pleased to direct the Respondents to award the compensation to the Petitioner as per the proviso of sub section 2 of section 24 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act 2013 and more particularly Factor-1 as per the notification dated 26.5.2015 issued by Government of Maharashtra in respect of land bearing Gat No. 124 admeasuring 60 Ares, at Village Sanaswadi, Tal-Shirur Dist.Pune”

2. Admittedly the Petitioner's land was acquired in the year 1991 under the Land Acquisition Act, 1894. The compensation for the same was also given to the Petitioner and thereafter possession was taken. In the circumstances, new Act, i.e., the Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has no application in the present case. The petition is misconceived and the same is, therefore, dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]