

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.787 of 2017

Shankar Bala Konde (since deceased)
through LRs Kerba Dattu Konde .. Petitioner
Versus
The District Collector, Kolhapur
and others .. Respondents

...

Mr.Prashant Suryavanshi i/b Gajanan Savagave for the petitioner.
Mr.Vikas Mali, AGP for the State.

**CORAM: DR. MANJULA CHELLUR, CJ. &
N.M. JAMDAR, J.**

DATED: 11th SEPTEMBER, 2017

P.C.:-

1 Petitioner claims to be the land loser of the Tulsi Project in Kolhapur district. According to the petitioner, he has filed an application seeking land in Gat No.28/1, admeasuring 40R from Ichalkaranji, Taluka Hatkanangale, District Kolhapur, and the same is pending since 9th November 2016.

2 Apparently, if the petitioner falls within the category of Project Affected Persons, definitely, he is entitled for land in terms of provisions of Maharashtra Project Affected Persons Rehabilitation Act, 1999 which came to be amended from time to time, till date. If land is available in

Tilak

Gat No.28/1 and if it can be allotted to the petitioner, if he is coming within the eligible criteria, it is left to the Resettlement Officer to consider his proposal. If said land is not available, any other suitable land within the benefit zone has to be allotted to the petitioner. Since the application of the petitioner is pending since November 2016, we direct the respondent authorities to treat the Writ Petition as fresh application and do the needful strictly adhering to the procedure contemplated.

3 Writ Petition is accordingly disposed of.

(N.M. JAMDAR, J)

(CHIEF JUSTICE)