

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION*

WRIT PETITION NO. 24 OF 2016

Shri.Suresh Baburao Mundhekar .. Petitioner
Vs
The Deputy Collector, Panvel. .. Respondent

Mr.Sagar Mane i/b Narendra Bandiwadekar, for the Petitioner.

Mr.A.P.Vanarase-AGP, for the Respondent.

***CORAM : DR.MANJULA CHELLUR, CJ. &
N.M.JAMDAR, J.
Date : July 10, 2017.***

P.C. :

The petitioner is before this Court seeking direction against the respondent- Deputy Collector, to consider his application dated 22 November 2004 filed under section 28-A(3) of the Land Acquisition Act of 1894, for enhancement of compensation in respect of land admeasuring 2250 sq.metres situated at Ulwa village in Panvel taluka of district Raigad. According to him, till date the Collector has not made any reference to the District Court, Alibaug, District Raigad, for deciding the application. According to him, on 30 September 2015, when he made an inquiry, he was informed that no reference has been made to the District Court, pursuant to the application filed by the petitioner.

2. When the matter came up on the last date of hearing, since the application referred to pertains to the year 2004, we were of the opinion to find out from the Special Land Acquisition Officer whether such an application was submitted on 22 November 2004. By an additional affidavit today, the Special Land Acquisition Officer has placed on record that on 22 November 2004, such an application was received under section 28-A(3) of the Land Acquisition Act and relevant inward register is also placed on record. However, according to them, the said application is not traceable in the office of the Deputy Collector (Land Acquisition).

3. In that view of the matter, we direct the petitioner to furnish an office copy of the application dated 22 November 2004, which is annexed at Exhibit 'A', to the Deputy Collector, for necessary action within two weeks from today. The same shall be considered in accordance with the procedure contemplated strictly adhering to the procedure by the Collector, within four weeks thereafter.

4. With the above directions, the Petition is disposed of.

(N.M.JAMDAR, J.)

CHIEF JUSTICE