

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 12808 OF 2015

Shri Jaysingrao Shinde

...Petitioner

Versus

Special Land Acquisition Officer And Ors

...Respondents

Mr. Shekhar Jagtap i/b. J. Shekhar & Co., for the Petitioner.

Mrs. M. P. Thakur, AGP for the Respondents.

CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.

DATE :- JANUARY 24, 2017

P. C. :-

1. Heard Mr. Jagtap, learned Counsel for the Petitioner and Mrs. Thakur, learned AGP for the Respondents. The land of the petitioners was acquired for the project namely Morna Irrigation Dam in the year 1981. The contention of the petitioner is that the land is not used for the said project and is lying in the same condition as on the date of the acquisition. The Petitioner therefore approached the State Government by making representations seeking withdrawal of the lands from acquisition as the possession of the land is not taken. The representations did not yield any fruits. The petitioner therefore has filed this petition and is before us.

2. Considering the above facts and circumstances, we feel it appropriate to dispose of this petition permitting the petitioner to

make an application to the State Government under Section 93 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 seeking withdrawal of the land from acquisition. Such application be made by the Petitioner within a period of four weeks from today, which if so made, be considered and decided by the Respondents on its own merit and in accordance with law, within a period of six weeks of its receipt.

3. The Petition is disposed of in the above terms. No costs.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)