

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9265 of 2017

Shri. Krushna Babu Bodake	}	Petitioner
versus		
The Collector and Land	}	
Acquisition Officer No. 1,	}	
Kolhapur district and Ors.	}	Respondents

Mr. Kedar Lad i/b. Mr. Pradeep Dalvi for
the petitioner.

Ms. M. P. Thakur-AGP for State.

CORAM :- DR. MANJULA CHELLUR, C.J. &
N.M.JAMDAR, J.

DATE :- SEPTEMBER 19, 2017

P.C. :-

1. The petitioner claims to be the land loser of Tulsi Irrigation Project, Kolhapur district. According to the petitioner, he has filed an application seeking land in Gat No. 1538/2 admeasuring 82 ares at village Dindnerli, taluka Karveer, district Kolhapur and the same is pending since 18th January, 2013.

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

time till date. If the land is available in Gat No. 1538/2 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 the 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 January, 2013, we direct the respondent authorities to treat this writ petition as fresh application and do the needful strictly adhering to the procedure contemplated.

3. With the aforesaid directions, the writ petition is disposed of.

(N. M. JAMDAR, J.)

(CHIEF JUSTICE)