

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 4680/2014.

Mulchand Kanhoji Kathoke and others.

-VERSUS-

Maharashtra State Electricity Transmission Company Ltd and others.

WRIT PETITION NO. 1062/2014.

Mohan Shankar Badule and others.

-VERSUS-

Maharashtra State Electricity Transmission Company Ltd and others.

WRIT PETITION NO. 1751/2014.

Fattechand Narayan Basene and another

-VERSUS-

Maharashtra State Electricity Transmission Company Ltd and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI
AND R.B. DEO, JJ.

DATE : JUNE 07, 2017.

Heard Shri A. Ramteke with Shri Ambade,
learned Counsel for petitioners, Shri D.M. Kale,
learned Counsel for respondent no.1, Shri D.V.
Chauhan, learned Counsel for respondent no.2 and
Shri A.S. Fulzele, learned Addl. G.P. for respondent
State/Collector.

2. After hearing respective counsel, we find

2

material on record insufficient to reach any conclusion. Facts necessary to show that land of Ashok Wadibhasme and land of petitioners are identical, are not available. Not only this ready reckoner value has also not been placed before us, with the result, market value and contingent upon it, proportionate reduction in potential can also not be determined in this jurisdiction.

3. Respective counsel for petitioners as also for respondents are seeking time to place on record necessary material.

4. Learned counsel for respondents submit that alternate and equally efficacious remedy under Section 16[3] of Indian Telegraph Act, 1885 is available to the petitioners.

5. Petitioners submit that they are not basically disputing the quantum, but, are urging discrimination.

6. We keep all contentions open. As lands of petitioners are already used for erection of towers and they are agitating for grant of proper compensation, we allow them to make appropriate representation with full details, facts and prayers. If such

3

representation is made within a period of three weeks to the Collector, Nagpur, the Collector Nagpur shall then extend an opportunity of hearing to all concerned and thereafter find out correct quantum of compensation in terms of government resolution dated 01.11.2010 and other policy decision operating in the field. This exercise shall be completed within a period of next eight weeks.

7. With liberty to petitioners to approach the competent forum again, thereafter, and keeping all rival contentions open, we dispose of the petitions. No costs.

JUDGE

JUDGE

Rgd.