

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2387 OF 2017

Ramanlal Kantilal Lohade .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Shri B. A. Dhengle, Advocate for the Petitioner.
Mrs. V. N. Patil-Jadhav, A.G.P. for the Respondent No. 1.
Shri Ajay S. Deshpande, Advocate for Respondent Nos. 2 to 5.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 28TH FEBRUARY, 2018.

FINAL ORDER :

. Heard Mr. Dhengle, the learned advocate for the petitioner and Mr. Deshpande, the learned advocate for respondent Nos. 2 to 5.

2. The petitioner assails the decision taken by the CIDCO thereby rejecting the request made by the petitioner to acquire 25% of the land from a particular place.

3. The respondent No. 1 has filed affidavit. Para 4 of the affidavit reads thus :

"4. I say that, from the area of compulsory acquisition CIDCO is required to develop growth centers and allied activities, in addition to construction of Stadium, Police

Chowki, Post Office and roads having width more than 18 meters and above. In the process, especially in the wake of the provisions of New Land Acquisition Act, 2013, it became difficult to have CIDCO projects feasible and viable. CIDCO, therefore, is required to take review of all proposed schemes, which is underway."

4. Mr. Deshpande, the learned advocate further submits that, the process is underway and the proposal would be submitted to the Government as acquisition in the present state of affairs is not feasible. In that case the acquisition may be dropped.

5. We have also heard the learned Assistant Government Pleader.

6. In view of the fact that, the City and Industrial Development Corporation (for short "CIDCO") is taking review of all the proposed schemes and until the same is finalized the land of the petitioner would not be acquired. It would be appropriate for the petitioner to wait till the CIDCO takes review of all its projects.

7. In the light of the above, we dispose of the writ petition with observation that, in case after the CIDCO has taken review of its project, the grievance of the petitioner still subsists, then the petitioner is entitled to agitate the same. No costs.

[A. M. DHAVALA, J.]

[S. V. GANGAPURWALA, J.]