

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8373/2017

Sanjay Haribhau Pardeshi

... Petitioner

V/s.

Pandharpur Municipal Council & Ors.

... Respondents

Mr. Suhas S. Deokar i/b. C. G. Gavnekar for the Petitioner

Mr. Sarang S. Aradhya for Respondent No.1.

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : JULY 4, 2018

P.C. :

1 Heard. By this petition, the Petitioner seeks direction against the Respondent to complete acquisition proceedings in respect of the land admeasuring 0.09.00 Ars from CTS No.85/1/G situated at Pandharpur, Tq. Pandharpur, Dist. Solapur as early as possible and make the payment of compensation.

2 In the present proceedings, the Respondent No.1 Pandharpur Municipal Council – acquiring body has filed an affidavit cum undertaking dated 29.06.2018 through Chief Officer Mr. Abhijit Bapat, stating that they will complete the acquisition proceedings as early as possible, but in any case within six months and to pay the compensation to the Petitioner. Said undertaking is taken on record and marked “X” for identification. Paragraph 2 and 3 of the said undertaking read thus:

“(2) Accordingly, on 8th June 2018, the proposal in respect of Acquisition of Petitioner's property has been approved by the

General Body of Pandharpur Municipal Council and the Respondent No.1, Municipal Council is in the process to forward the proposal of the Petitioner to Respondent No.2, District Collector Solapur for necessary directions and steps for effecting acquisition of Petitioner's property.

(3) In view of the direction of the Hon'ble High Court dated 27th June 2018, being Chief Officer of Pandharpur Municipal Council I undertake that the proposal of the acquisition of the Petitioner's property will be forwarded to Respondent No.1, District Collector Solapur for necessary actions and the process of acquisition of the Petitioner's property will be completed within 6 months (including payment of compensation) from today.”

3 Considering the submissions made by the learned counsel for the Petitioner and the undertaking given by Respondent No.1, the petition is disposed of with following directions:

a Respondent No.1 is directed to complete the acquisition proceedings in respect of the Petitioner's land and make payment of the compensation as early as possible but in any case within six months from today.

b The Respondent Nos.2 and 3 are directed to see that the acquisition proceedings is completed as early as possible as stated hereinabove.

c The Writ Petition stands disposed of accordingly.

d The learned counsel for the Petitioner is directed to communicate this order to Respondent No.2 and 3 for compliance.

e Parties to act on an authenticated copy of this order.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)