

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10464 OF 2017

Sham Ganpat Mohite & Ors.Petitioners
V/S
The State of Maharashtra & Ors.Respondents

WITH
WRIT PETITION NO.10843 OF 2017

Nandkumar Popatrao Manjare & Ors.Petitioners
V/S
The State of Maharashtra & Ors.Respondents

WITH
WRIT PETITION NO.1457 OF 2018

Shri Ankush Trimbak Gote
through his POA holderPetitioner
V/S
The State of Maharashtra & Ors.Respondents

Mr. Suresh M. Sabrad with Mr. Amey C. Sawant, Ms. Neha R. Parte for the
Petitioners.
Ms. M.S. Srivastava, AGP for Respondent Nos.1 to 5/State.

**CORAM : A.A. SAYED &
SANDEEP K. SHINDE, JJ.**
DATE : 17 OCTOBER 2018

ORDER:

1 The above Writ Petitions are filed seeking directions against
Respondent No.2-Collector and the Authorities to delete the entries of

reservation for project affected persons from the other rights column of the revenue records pertaining to the subject lands.

2 The subject lands were notified under section 11 of the Maharashtra Re-settlement of Project Affected Persons Act, 1976 (for short 'the said Act') alongwith other lands. The Affidavit-in-Reply filed on behalf of the Authorities states that the Notification under section 11 of the said Act was issued sometime on 30 June 1989.

3 Learned Counsel for the Petitioners have invited our attention to the order dated 17 September 2013 passed by the Division Bench of this Court (Coram: V.M. Kanade & S.C. Gupte, JJ.) in Writ Petition No.5207 of 2013 (Smt. Chandrabhaga Nathu Sakhare & Ors. vs. The State of Maharashtra & Ors.) and the order dated 16 February 2017 passed by the learned Single Judge of this Court (Coram: R.M. Savant, J.) in Writ Petition No.4309 of 2015 (Shri Dnyanoba Devji Birdavade & Ors. vs. The State of Maharashtra & Ors.) wherein on similar facts this Court has directed the Authorities to delete the entries in the revenue records.

4 In the circumstances, for the reasons stated in the aforesaid orders, the present Petitions will have to be allowed. The Respondents are directed

to delete the entries of reservation for project affected persons from the other rights column of the revenue records in respect of the subject lands within four months from today, unless the State Government takes appropriate steps to acquire the subject lands within the stipulated period of four months.

5 The Petitions are allowed in the aforesaid terms.

(SANDEEP K. SHINDE, J.)

(A.A. SAYED, J.)

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