

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2230 OF 2015

Baban Bambhaji Pawar .. Petitioner
Vs.
The State of Maharashtra and ors. .. Respondents

Mr.Harinder Toor a/w Ms.Swati Sawant I/b S.K. Legal Associates, for the Petitioner.
Mr.A.I. Patel, AGP for State.

**CORAM : NARESH H. PATIL, CHIEF JUSTICE &
M.S.KARNIK, J.**

DATE : 10th DECEMBER, 2018

P.C. :

. Learned Counsel for the Petitioner submits that in the year 1999 his land was acquired under Pune Irrigation Project viz.Gujnawani Project. Under the scheme, the Petitioner was to get land in benefited zone. The Petitioner was constrained to approach this Court for allotment. Pursuant to an order of this Court, the Petitioner was allotted land by an order dated 15/07/2011. The Petitioner now disputes valuation

carried out in respect of such land. Learned Counsel submits that the Respondents have mentioned incorrect valuation of the land in the allotment order. The Petitioner is not in a position to deposit such a huge amount. The Petitioner is fighting litigation since last several years on such a short issue. The Petitioner pursued the matter with the Respondents. The Respondent No.1 had directed Respondent No.2 to take necessary action.

2. We have perused the communication made by the Deputy Collector (Rehabilitation), Pune dated 05/10/2012 to the SDO, Bhore. Perused the record placed before us. The Deputy Collector has referred to a valuation report dated 02/06/2012 from the office of the Sub-Registrar Maval. The SDO Bhore was called upon to arrive at an appropriate decision considering all these aspects.

3. In the facts, we find it appropriate to direct Collector Pune to call for record, hear necessary parties and pass a brief reasoned order in respect of the claim of the contesting parties

within a period of 3 months from the date of receipt of this order. We have not expressed any opinion on the merits of the matter. All issues are kept open.

4. For a period of 3 months or till a decision is taken by the Collector the status- quo granted by this Court will continue to operate.

5. Writ Petitioner is disposed of.

(M.S.KARNIK, J.)

(CHIEF JUSTICE)