

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6866 OF 2016

Namaji Umaji Thorat.

..Petitioner.

Versus

The Collector of Pune & Others.

..Respondents.

Mr. S. A. Sawant for the Petitioner.

Mrs. M. P. Thakur, AGP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **January 8, 2018.**

P. C. :

1. Heard. The Petitioner is a person displaced by the Chaskaman project, inasmuch as his land admeasuring 33.33 Ares is compulsorily acquired for the said project. The Petitioner's contention is that in addition to compensation, in accordance with the policy of the State Government he is entitled for alternate land also. The Petitioner accordingly on 2nd April 2016 made a representation to the Secretary, Relief and Rehabilitation, Mantralaya, Mumbai and the Divisional Commissioner, Konkan Zone, Kokan Bhavan, CBD Belapur, Navi Mumbai. The learned Counsel for the Petitioner submitted that if the directions are given to decide the said representation of the Petitioner, the grievance as raised in this petition would be redressed.

2. The learned AGP makes a statement that proper

authority to decide the said representation is Respondent No. 2, i.e., The District Resettlement Officer, Pune. This fact is not disputed by the learned Counsel for the Petitioner.

3. In above circumstances, we dispose of the writ petition with following directions :

- [i] The Petitioner is at liberty to give copy of his representation dated 2nd April 2016 to Respondent No. 2 within the period of two weeks from today.
- [ii] In the event such a representation is given by the Petitioner, Respondent No.2 shall decide the same as expeditiously as possible and at any rate within the period of eight weeks from the date of receipt of such representation.
- [iii] The District Resettlement Officer, Pune shall give an opportunity of hearing to the Petitioner.
- [iv] It is made clear that this Court has not gone into merits of the matter and all points and contentions of the respective parties are kept open. Respondent No. 2 shall decide the said representation independently on its own merits and in accordance with law.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]