

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION (ST) NO.11969 OF 2016**

Shri.Popat Baurao Desai & Ors.

...Petitioners

V/s.

State of Maharashtra

Through Secretary & Ors.

...Respondents

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Mr.K.U. Patil for the Petitioners.

Mr.A.I. Patel, AGP for Respondent-State.

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**CORAM : RANJIT MORE &  
SMT.ANUJA PRABHUDESSAI, JJ.**

**DATE : 05<sup>th</sup> FEBRUARY 2018**

**P.C.**

1. The petition is filed for following reliefs:-

*(a) this Hon'ble Court may be pleased to issue Writ of Mandamus or any other appropriate Writ of directions thereby directing the Respondents to declare that the Land Acquisition proceedings of the Petitioner's property bearing Gat No.61 (old Gat No.65), admeasuring 4 Acre and 48 gunthes to the extent of 2 Acre 38 Gunthe situated at village Kolewadi, Tal-Karad, Dist-Satara, be quashed and set aside;*

*(b) this Hon'ble Court may be pleased to direct the respondents to declare that the disputed property does not fall within the benefited zone of Wang Project;"*

2. Having gone through the petition along with annexures and having considered the rival submissions, we find that the learned counsel for the petitioner does not dispute that the subject land is already acquired and award is passed in the year 2003. The possession of the petitioner's said land is taken and allowed to the third party also.

3. That apart, earlier the petitioner had filed application under Section 48 of the Land Acquisition Act before the Divisional Commissioner for deletion of the land under acquisition. This application was dismissed. Thereafter petitioner approached this Court by filing Writ Petition No.373 of 2013, which was also dismissed.

4. In the light of the above, we are not inclined to entertain this petition. The same is accordingly dismissed.

**(SMT.ANUJA PRABHUDESSAI, J.)**

**(RANJIT MORE, J.)**