IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9905 OF 2016

Shamrao Rama Patil & Ors. … Petitioners

V/s.

The State of Maharashtra & Ors. … Respondents

Mr. Prashant Bhavake, for the Petitioners
Mr. P. G. Sawant, AGP, for the Respondent Nos.1,3.

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

DATED : MARCH 28, 2018

P.C. :

Heard. By consent of both parties, matter is taken up for final hearing at the stage of admission.

2 By this Petition under Article 226 of the Constitution of India, the Petitioner is challenging the order dated 27th June, 2016 passed by the Deputy Collector(Land Acquisition Officer) No.6, Kolhapur rejecting the Petitioner's application under Section 64 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for condonation of delay in making a reference.

3 The learned counsel for the Petitioners submits that in connected Writ Petitions, this Court passed the order dated 24th January, 2018 and allowed the application for condonation of delay directing the

Respondents to make a reference to the Civil Court according to law.

4 The learned AGP, Mr. Sawant appearing on behalf of Respondent Nos.1 and 3 submits that the present Writ Petition can be allowed in terms of order dated 24th January, 2018. Hence, by consent of both parties, the Writ Petition is allowed in following terms:-

(a) The order dated 27th June, 2016 passed by the Deputy Collector (Land Acquisition Officer) No.6, Kolhapur rejecting the Petitioner's application for condonation of delay is set aside.

(b) The application filed by the Petitioner for condonation of delay in making the reference is allowed.

(c) The Collector shall refer the said application for reference filed by the Respondent to the authority in accordance with law.

(d) Writ Petition allowed as above.

(e) No order as to costs.

(B. P. COLABAWALLA, J.) **(K.K. TATED, J.)**