

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

WRIT PETITION NO. 11358 of 2017
WITH
WRIT PETITION NO. 11359 of 2017

Kaluram Narayan Pachpute
deceased through legal heirs
Smt. Sangeeta Kaluram Pachpute & ors.Petitioners

v/s.

The State of Maharashtra & ors.Respondents

Mr.Sanjiv Sawant a/w.Abhishek Deshmukh for petitioner in both petitions.

Ms. Nisha Mehra, AGP for respondents 1 to 4 in both petitions.

Ms.J. Pandey i/b. A.R.Bhole & co. for respondents 5 & 6 in both petitions.

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

21st December, 2018.

P.C. :

The learned Counsel appearing for petitioners submits that in view of the statement made in affidavit-in-reply on behalf of

respondents 1 to 4 in paragraph-4, petitions be disposed of.

Paragraph-4 of the affidavit-in-reply reads as under:-

“4. I say and submit that the Respondent No.2 considered the application of Respondent No.7 regarding deletion of the acquired land of 0.91.5 & thereafter a letter bearing No.IDC/2015/PK/609/U-14 dated 25.4.2016 giving permission for deleting the said acquired area of 0.91.5 from acquisition was issued. Subsequent to the letter dated 25.4.2016 from the industries department, further clarification was received from MIDC and additional issues were inturn raised by the Industries Department. Due to protracted correspondence, no notification cancelling land acquisition ever came to be issued from Government.”

2. The Counsel appearing for petitioners submits that petitioners reserves their right to resort to appropriate remedy as permissible in law. Both Petitions stand disposed of.

3. Both parties are at liberty to resort to appropriate remedy as permissible in law consequent to disposal of this petition, in case any cause of action arises.

4. It is clarified that this Court has not addressed any other prayer made by the petitioner.

M.S.KARNIK, J

CHIEF JUSTICE

L.S. Panjwani, P.S.