

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

WRIT PETITION NO. 10071 OF 2016

Ramdas Ganpat Pawar (Katkari) & Ors. ... Petitioners
V/s.
Deputy Collector (Acquisition) Raigad & Ors. ... Respondents

Mr. Shriram S. Kulkarni for the Petitioners.
Dr. Kirti Kulkarni, A.G.P. for Respondent Nos.1 to 4.

**CORAM : A.A. SAYED AND
K.K. SONAWANE, JJ.**

DATE : 8th OCTOBER, 2018.

P.C. :

1 In the Affidavit filed by Shri Sarjerao Sonaba Sonawane, the Sub-Divisional Officer, Pen, Raigad on behalf of Respondent No.1 (Deputy Collector (Acquisition)), it is categorically stated in paragraph 4 that the subject lands are not included in the final award nor are they part of the Section 4 and Section 6 Notification.

2 In paragraph 5 of the aforesaid Affidavit, however, it is stated as follows :

“I say that, this Respondent is under the process of acquiring houses / lands 13 Villages which are not included in the final award and which are submerge under the water and which are required for rehabilitation of Balganga River

Dam Project by the acquiring body. I say that similarly work to carry out necessary survey and measurement of land / houses / trees which are not acquired are under process. I say that, all the due precautions and steps will be taken for acquiring the lands which are not acquired.”

3 In view of the above, we dispose of the Petition by directing that if the Respondents seek to acquire the subject lands, the Respondents shall follow necessary procedure and shall pay compensation to the Petitioners in accordance with law expeditiously.

4 The Petition to stand disposed of accordingly.

(K.K. SONAWANE, J.)

(A.A. SAYED, J.)

Waishali
Sushil
Waghmare

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