

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

**WRIT PETITION NO.1022 OF 2015
WITH
CIVIL APPLICATION NO.2178 OF 2015**

Shree Nasik Panchavati Panjrapole,
Panchavati .. Petitioner

V/s.

The District Collector, Nashik and Others .. Respondents

Mr.Anil Ahuja for the petitioner

Mr.P.G.Sawant, A.G.P. for the respondent nos.1, 2, 4 and 5

Mr.Shekhar Jagtap with Ms.Sairuchita Choudhary for the respondent
no.3

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

DATED : AUGUST 14, 2018

P.C. :

1 Heard the learned counsel for the parties.

2 By this petition under Article 227 of the Constitution of India, the
Petitioner is seeking direction against the Respondent to complete the
acquisition proceedings in respect of the lands as stated in paragraph
(II) on page 5 of the Writ Petition which reads thus:

Mohite

1/3

Sr. No.	Site No.	Purpose	Survey No.	Area reserved / possession taken in Sq.Mtrs.	Date of possession
1	240/294	Stadium	195 of Nashik	9 Hector 84 ares 0-89 areas (Pot Kharaba)	1974-75

3 The learned counsel for the Respondent no.3 filed their Affidavit-in-Reply dated 13.08.2018. Same is taken on record. After arguing for some time, the learned counsel for the Petitioner submits that Petitioner may be permitted to file appropriate proceeding in respect of land bearing survey No.195 Site no.240/294 for same cause of action. To that effect, he has given in writing. Same is taken on record and marked 'X' for identification. Same is permitted.

4 The learned counsel for the Respondent Corporation after taking instruction from his client who is present in court makes a statement that they will complete the acquisition proceeding in respect of land bearing survey no.288/3 and survey no.10/1 + 2 + 3 + 5 of Nashik within six months from today. To that effect, he has given in writing. Same is taken on record and marked 'X-1' for identification. Same is accepted.

5 The learned counsel for the Petitioner submits that Acquisition Proceeding in respect of survey no.223, 224 i.e. LC No.24/2004, in respect of Survey No.74, 75 & 76 i.e. LC No.23/2004 and Survey No.287/A/2 i.e. LC No.25/2004 is pending for its own decision. He submits that the Respondent may be directed to complete this LC Proceeding as early as possible and make payment of compensation.

6 In view of the above mentioned facts and the statement made by the learned counsel for the Respondent Corporation, Writ Petition stands disposed of in following terms:

- a) Liberty granted to the Petitioner to file appropriate proceeding in respect of land bearing Survey No.195 of Nashik for same cause of action and that be decided on its own merits.
- b) Respondent no.3 Corporation to complete the acquisition proceeding in respect of land bearing Survey No.288/3 and Survey No.10/1 + 2+ 3 + 5 of Nashik as early as possible, but in any case within six months from receipt of certified copy of this order.
- c) Respondents are directed to decide LC No.24 of 2004, 23 of 2004 and 25 of 2004 as early as possible, in any case within six months from receipt of certified copy of this order.
- d) Writ Petition stands disposed of accordingly.
- e) In view thereof, Civil Application No.2178 of 2015 does not survive. The same stands dismissed as infructuous.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)