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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14042 OF 2018

Mr. Kachru Bhivaji Sonawane .. Petitioner
Vs.
State of Maharashtra and ors. .. Respondents

Mr. Balasaheb Deshmukh I/by Pravartak – Pathak for petitioner.
Mr. M. M. Pabale, AGP for State.

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

DECEMBER 19, 2018.

P.C.

1. The petitioner's land is subjected to acquisition. It is stated that award is yet to be passed. It is the petitioner's claim that there were fruit bearing mango trees in the subject land. The 7x12 extract support the petitioner's contention, according to the learned counsel.

2. The precise grievance of the petitioner is that no such reference is appearing in respect of existence of mango trees in the survey report. Therefore, the petitioner submitted representations to the Special Land Acquisition Officer (SLAO) on 19/6/2018 and 5/10/2018.

3. As to whether there were standing fruit bearing mango trees on the suit land, which is subjected to acquisition, is a matter to be assessed by the concerned authorities which are entrusted with the said job during the acquisition proceeding.

4. We do not express any opinion in respect of the petitioner's claim. However, the respondents-authorities, which are seized of the representations of the petitioner, may deal with the same in accordance with the documentary evidence placed before them and decide the said representations on its own merits after hearing the petitioner within two weeks from the receipt of this order.

5. Writ Petition is disposed of accordingly.

6. Registry is directed to forward a copy of this order to the Collector, Nashik forthwith.

M. S. KARNIK, J.

CHIEF JUSTICE