

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.34132 OF 2016

Ramdas Kashinath BattasePetitioner
V/S
The State of Maharashtra & Ors.Respondents

WITH
WRIT PETITION NO.11316 OF 2017

Anusayabai Bajirao GaikwadPetitioner
V/S
The State of Maharashtra & Ors.Respondents

WITH
WRIT PETITION NO.11320 OF 2017

Meerabai Ramdas BattasePetitioner
V/S
The State of Maharashtra & Ors.Respondents

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Mr. Ashish S. Gaikwad a/w Ms. Bhavana R. Khichi a/w Mr.Abhishek R. Mishra for Petitioners.
Mr. N.C. Walimbe, AGP for Respondent Nos.1 to 3/State.

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**CORAM : A.A. SAYED &
SANDEEP K. SHINDE, JJ.**
DATE : 31 OCTOBER 2018

ORDER:

1 The Petitioners had filed Land Acquisition Reference Nos.252 of 2004, 204 of 2004 and 251 of 2004 which were decided by the Civil Judge Senior Division, Malegaon, District Nashik, vide judgment and order dated

22 April 2014. The Petitioners had filed L.R.M. Applications dated 28 July 2016 in the disposed of Land Acquisition References purportedly under Order IX Rule 4, read with section 151 of the Code of Civil Procedure. In the said Applications it is prayed that the order passed in the Land Acquisition Reference Nos.252 of 2004, 204 2004 and 251 of 2004 may be recalled and they may be permitted to lead additional evidence which would enable them to claim additional compensation.

2 In our view Writ Petitions are not maintainable inasmuch as the subject Applications were preferred in the disposed of Land Acquisition References. The remedy as provided under the Land Acquisition Act is a statutory Appeal. At the highest, the Petitioners may seek appropriate relief, in appropriate proceedings, if so advised. In view of this, there is no merit in the Petitions. The Writ Petitions are dismissed.

(SANDEEP K. SHINDE, J.)

(A.A. SAYED, J.)

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