

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 1621 OF 2017
IN
LAND ACQUISITION REFERENCE NO. 6 OF 2016**

New Stanpack Industries

...Applicant/Third Party

In the matter between

Deputy Collector (Land Acquisition) No.4, Mumbai

...Petitioner

Vs.

M/s.Somani & Co.Pvt.Ltd. & Ors.

...Respondents

and

Estate Manager,

Brihanmumbai Electricity, Supply and

Transport Under Taking BEST

...Acquiring Body

**WITH
NOTICE OF MOTION NO. 1633 OF 2017
IN
LAND ACQUISITION REFERENCE NO. 6 OF 2016**

Govinda Marbles

...Applicant/Third Party

In the matter between

Deputy Collector (Land Acquisition) No.4, Mumbai

...Petitioner

Vs.

M/s.Somani & Co.Pvt.Ltd. & Ors.

...Respondents

and

Estate Manager,

Brihanmumbai Electricity, Supply and

Transport Under Taking BEST

...Acquiring Body

Ms.Fatima Lakdawala Kadri for Applicant in NMSs/Third Party.

Ms.Jyoti Chavan, AGP for Applicant in LAR 6/2016.

Mr.Arsh Misra I/b. M.V. Kini & Co. for Acquiring Body (BEST)

Mr.Abinash Pradhan with Deepu Jojo I/b. Wadia Ghandy & Co. for
Respondent No.1 in NMSs.

CORAM : S.C. GUPTE, J.

DATE : 11 JUNE 2018

P.C. :

The competent authority established under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, who needs to be approached in the matter, is the Land Acquisition, Rehabilitation and Resettlement Authority located at Old Secretariat, Divisional Commissioner office, first floor, GPO Chowk, Civil Lines, Nagpur 440 001. A Division Bench of this court by an order dated 10 April 2018 has disposed of Writ Petition No.2320 of 2017 by granting liberty to the Petitioner to approach this competent authority for reference under Section 64(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is agreed between the parties that the legal position is the same even in these two notices of motion.

2 Accordingly, both motions are disposed of in terms of the following order :

- (I) Liberty is granted to the Petitioner to approach the competent authority referred to above (“authority”) within thirty days from today.
- (II) If any application is filed within thirty days, the authority shall decide the same on its own merits.
- (III) All contentions of the parties on merits are kept open.

(IV) LAR is disposed of.

(V) Registry is directed to expeditiously transmit papers and proceedings of LAR No.6/2016 to the authority.

2 All concerned to act on the authenticated copy of this order.

(S.C. GUPTE, J.)