

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO. 74/2017.

Bandu Kisan Nannaware, Chandrapur and another.

-VERSUS-

The State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B. P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.**

DATE : JANUARY 17, 2018.

Heard Shri S.A. Marathe, learned Counsel
for petitioners, Shri A.S. Fulzele, learned Addl.G.P. for
respondent nos. 1 to 5 and Shri S.P. Bhandarkar,
learned Counsel for respondent nos.6 to 20.

2. Petitioners point out need of acquisition of
land of respondent nos. 6 to 20 for existing road.
Learned counsel appearing for them is seeking time.

3. Learned Addl. G.P. appearing for
respondent nos. 1 to 3, invites attention to the reply
affidavit. He submits that, lands were earlier
acquired, but, then said acquisition is found to be

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vitiated and therefore, quashed. The steps afresh for acquisition are being initiated as per law.

4. In view of statement made by respondent nos. 1 to 3, we are not inclined to keep this Public Interest Litigation pending. Defence or contentions available to land owners likely to be affected by such acquisition cannot be looked into in this Public Interest Litigation. As and when such steps are taken, such of them, if aggrieved, can always make suitable grievance as per law. They can also approach appropriate forum for redressal of the same.

5. Hence, keeping all their rival contentions and rights open, with above observations we direct respondent nos. 1 to 4 to initiate necessary steps within a period of three months from today. Interim orders passed by this Court on 05.07.2017, shall continue till then and shall be subject to it. Public Interest Litigation is, accordingly disposed of. No costs.

JUDGE

JUDGE

Rgd.