

IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.

WRIT PETITION NO. 1191 OF 2018

Bhausahab S/o. Pandharinath Raut ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

.....
Shri. N. K. Kakade, Advocate for the petitioner
Shri. S. G. Karlekar, AGP for respondent/State
Shri. Ranjit B. Gaikwad, Advocate for respondents No. 4 & 5
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**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**
DATE : 21ST FEBRUARY, 2019

ORAL ORDER:

1. We have heard learned counsel for the respective parties.
2. The contention of the petitioner is that, the land of the petitioner is under submergence due to back water of Jayakwadi Dam.
3. Learned counsel for respondent No. 5 submits that, at present there is only 19% water storage in the Jayakwadi Dam and as such the decision cannot be taken as to whether the land of the petitioner would be affected.

4. Respondents shall take decision within a period of six months from today as to whether the land of the petitioner is required to be acquired. Depending upon the decision taken, the parties may take further steps immediately. In case the decision is adverse to the petitioner, the petitioner has liberty to assail the same.

5. The Writ Petition is disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde