

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

923 WRIT PETITION NO.4688 OF 2019

BALAJI GANGADHAR POTLAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. A.V.Indrale Patil, Advocate for Petitioners.
Mrs. M.A.Deshpande, AGP for Respondents-State
...

**CORAM : S.V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 6th June, 2019

PER COURT :-

1. The learned counsel Mr. Patil submits that the petitioners were allotted the certain land. The allotment was cancelled. The petitioners filed an appeal. The appeal has been allowed. However, only because the names of the petitioners are not appearing in the 7/12 extract, the respondents are not considering the petitioners to be the owners and notices are not issued to the petitioners of acquisition.

2. The learned AGP appears for Respondents-State. We have heard the learned AGP also.

3. The petitioners can bring all these facts to the notice of the competent authority. Even otherwise if the acquisition is under the National Highways Act, the petitioners have remedy to file objection under Section 3(C), which objection has to be considered by the competent authority on its own merits. Even if, if the acquisition is under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the petitioners may file objection to the State Authorities in that regard, which objections have to be considered by the authority on its own merits.

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

(MANGESH S. PATIL, J.) (S.V. GANGAPURWALA, J.)

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vmk/-