

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10860 OF 2016

Mahadeo Sonaji Londhe and Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. K.D. Khade, Advocate for Petitioner
Mr. S.P. Tiwari, Assistant Government Pleader for
Respondents/State
Mr. B.R., Surwase, Advocate for Respondent No 4

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVALA, JJ.**

DATE : 30th APRIL, 2019

ORAL ORDER:

1. Heard Mr. Khade, the learned Counsel for the petitioners, the learned Assistant Government Pleader and Mr. Surwase, the learned Counsel for the respondent No. 4.

2. The prayers made of return of the land in view of the affidavit filed by the respondent cannot be considered in the present case. However, the petitioner submits that his entire land has been acquired and he has been rendered landless. In view of section 16 of the Maharashtra Project affected persons Rehabilitation Act, 1999, the petitioner is entitled for allotment of alternate land. The

petitioner is covered under definition of affected person.

3. Mr. Surwase, the learned Counsel for the Acquiring Body and the learned Assistant Government Pleader submits that if the petitioners make an application to that extent, the said application would be considered by the respondents.

4. The petitioners may make an application referable to section 16 of the Act, 1999 for alternate land. If such an application is made, the respondent authorities shall consider the said application on its own merits and take decision upon it within a period of three months from the date of application.

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

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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