

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 657 OF 2018**

Shree Vhadli Vandevtasaunthan

Mahajan's Trust

... Petitioner

Versus

State of Goa, through its

Chief Secretary and 8 Ors.

... Respondents

Mr. Kishore Aroskar, Advocate for the Petitioner.

Mr. Deep Shirodkar, Additional Government Advocate for the Respondents.

**Coram : S.C. Gupte, &
Nutan D. Sardessai, JJ.**

Date : 21st June, 2019.

P.C. :

The Writ Petition concerns acquisition of land by the Respondent-State. The prayer is for issuance of Section 6 Notification in respect of the survey numbers referred to in the prayer clause.

2. By an order passed by this Court in Writ Petition No. 722 of 2015, the land acquisition proceedings, and in particular, the Notification issued under Section 6, was quashed and struck down by this Court, and the State was asked to initiate proceedings under Section 5-A, which is a stage prior to Section 6 Notification.

3. Pending the hearing of this petition, it was submitted on behalf of the State that Notification under Section 6 of the Land Acquisition Act was under contemplation with the State Government, and was awaiting approval. In the meantime, the new acquisition Act, namely, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has come into force. Since there was no notification under Section 6 within the statutory period, the land acquisition proceedings in the present case, which did not, at any time, reach the stage of Section 6 Notification, have stood lapsed. Any acquisition to be made now, can only be under the new Act. Accordingly, the petition has become infructuous, and is disposed of as such.

Nutan D. Sardesai, J.

S.C. Gupte, J.

Dv*