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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5169 OF 2019

Chandrashekhar Ganpat Nangare .. Petitioner

Versus

The Divisional Commissioner,
Revenue & Forest Department & Ors. .. Respondents

Mr. Nitesh S. Parte for Petitioner.
Ms. Nisha Mehra, AGP for Respondents.

CORAM: PRADEEP NANDRAJOG, CJ. &
SMT. BHARATI DANGRE, J.

NOVEMBER 22, 2019.

P.C.

1. Reply filed by the learned AGP on behalf of
Respondent Nos.1 to 4 is taken on record.

2. Heard learned counsel for the parties for final disposal
of the Writ Petition.

3. The common pleadings of the parties do not dispute that 87 Ares of land comprised in Survey No. 31/4 at Khundalpur, Taluka – Shirala, District – Sangli was recorded in the name of late Vaijanta Ganpat Nangare who died on 07.12.2013. Said land ad-measuring 87 Ares was acquired in the year 1997 and that entitlement of Vaijanta Ganpat Nangare under the Maharashtra Project Affected Persons and Rehabilitation Act, 1989 has to be considered because the acquisition was for purposes of Chandoli Sanctuary.

4. The writ petitioner claims to be the only surviving legal heir of deceased Vaijanta Ganpat Nangare and thus claims right to compensatory land. The Petitioner has deposited 65% of the compensation assessed for the acquired land.

5. Learned AGP for the respondents states that the writ petition could be disposed of directing that upon the Petitioner submitting proof to the District Rehabilitation Officer, Vijaynagar, Sangli Miraj Road, Sangli, Maharashtra of being the sole surviving legal heir of deceased Vaijanta Ganpat Nangare and acceptance thereof, direction could be issued to compute the entitlement in respect of the acquired land and if found eligible and extent of land to be allotted, the District Rehabilitation Officer to pass necessary orders and in terms of the order hand over possession of

the land to which entitlement would inure as the legal heir of the deceased.

6. Thus, the Writ Petition is disposed of directing that with proof of being the sole legal heir of late Vaijanta Ganpat Nangare, the Petitioner shall appear in the office of the District Rehabilitation Officer, Sangli on any working day in the 3rd week of January, 2020 and shall submit the said documents. Thereafter, the District Rehabilitation Officer shall proceed in compliance with the statement made by the learned AGP appearing for the respondents and as noted above. We bind the respondents to the statement made by the learned AGP.

7. Necessary orders shall be passed by the District Rehabilitation Officer within six weeks of receipt of the documents from the Petitioner.

8. No costs.

Pravin D.
Pandit

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by Pravin D.
Pandit
Date: 2019.11.25
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SMT. BHARATI DANGRE, J.

CHIEF JUSTICE