

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12259 OF 2016

Balasaheb Bhiku Kalokhe and Ors. ... Petitioners
V/s.
Secretary to the Govt.
Urban Development and Public Health Dept.
Mantralaya, Mumbai and Ors. ... Respondents

Mr. N.V. Vehalekar I/b. N.V. Vechalekar & Co., for the Petitioners
Mrs. Madhubala Kajale, "B" Panel Counsel, for the Respondent Nos. 1
to 7-State.
Mr. G.H. Keluskar, for Respondent Nos. 8 and 9.

**CORAM : R. M. BORDE AND
PUSHPA V. GANEDIWALA, JJ.**

DATE : 15th FEBRUARY 2019.

P.C.:

. If the Petitioners are not agreeable to the amount of compensation by way of private negotiations, it is open for the Petitioners to ask for acquisition of the land and determining of the compensation in accordance with the provisions of the Land Acquisition Rehabilitation and Settlement Act of 2013.

2. So far as prayer made for the issuance of direction for changing the alignment of the road is concerned, since the road have been prescribed as per the final development plan which has been finalized way back in 2013, the request made at this belated stage does not deserves to be considered. Apart from this, the Petitioners have not pointed out any provision of law entitling them to claim modification in the development plan finalized in the year 2013. For the reasons aforesaid, no interference is called for.

3. In the circumstances, the Petition stands disposed of.

(PUSHPA V. GANEDIWALA, J.)

(R. M. BORDE, J.)