

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3025 OF 2019

Mrs. Piloo E. Aga
v/s.

.....Petitioner

The State of Maharashtra and ors.

.....Respondents

Mr. Siddhartha R. Ronghe for the Petitioner.
Mr. S.B. Kalel, AGP for the State.

**CORAM: A.A. SAYED, AND
SMT. ANUJA PRABHUDESSAI, JJ.**

DATE : 17th DECEMBER, 2019.

P. C. :-

. Leave to amend to delete prayer clause (d). Amendment to be carried out forthwith.

2. The Petitioner is essentially challenging the acquisition on the ground that it has lapsed under Section 24(2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. The acquisition is admittedly under provisions of Section 126 of Maharashtra Regional and Town Planning Act, 1966. The issue raised in the Petition is squarely covered by the full bench decision of this Court in ***Mehtab Laiq Ahmed Shaikh and anr. v/s. State of Maharashtra and ors. [2017(6) Mh.L.J.]*** wherein it

has been held that the provisions of Section 24(2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 are not applicable to acquisition initiated under terms of Sections 125 to 127 of the Maharashtra Regional and Town Planning Act, 1966.

4. In view of the above, the Petition is dismissed.

Preeti H.
Jayani

Digitally signed by
Preeti H. Jayani
Date: 2019.12.19
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(SMT. ANUJA PRABHUDESSAI, J.)

(A.A. SAYED, J.)