

DSS

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7796 OF 2013**

Babu R. Burud .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 5217 OF 2014**

Amruta R. Rate
(since deceased through
Legal heirs) .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7797 OF 2013**

Chandrabhaga D. Shinde .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7798 OF 2013**

Dnyaneshwar L. Shete .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7799 OF 2013**

Ramchandra T. Hande .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7800 OF 2013**

Ramchandra V. Shelar and ors. .. Petitioners
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7801 OF 2013**

Sakharam D. Ugale .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7802 OF 2013**

Rahibai S. Supe .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7803 OF 2013**

Suryakant M. Gundal .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7804 OF 2013**

Bhoru S. Bhagit .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7805 OF 2013**

Ranu R. Langhi .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7806 OF 2013**

Bhima K. Gunjal .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 7807 OF 2013**

Pandrinath Bhika alias
Bhikaji Shirke .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 9747 OF 2013**

Vanubai Kisan Ghangre
(since deceased) Manjulabai
B. Bhogate .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

**WITH
WRIT PETITION NO. 9860 OF 2013**

Shantaram K. Hande .. Petitioner
Vs.
The Collector of Pune and ors. .. Respondents

Mr. S.A. Sawant a/w. Mr. Abhishek Deshmukh for the Petitioners in all the petitions.

Mr. R.S. Pawar, AGP for the Respondents- State.

Mr. S.S. Jadhav, Sr. Clerk, DRO Office present.

CORAM : R. M. BORDE & V. L. ACHLIYA, JJ.
DATE : 25th JANUARY, 2019.

P. C. :

1] The above Writ Petitions can be disposed of in terms of directions issued by the Division Bench of this Court in Public Interest Litigation No. 171 of 2014 decided on February 13, 2017. The Petitioners claim to be project affected persons, whose lands were acquired. It is the contention of the Petitioners that in spite of constant persuasion, no steps have been taken by the Respondents for granting the benefits under the provisions of the Maharashtra Project Affected Persons Rehabilitation Act, 1999. In similar situation, while dismissing the Public Interest Litigation No. 171 of 2014 certain directions are issued. These Petitions can be disposed of conveniently by issuing similar directions. Hence, the order:

O R D E R

(i) We direct the District Resettlement Officer, Pune to examine the cases of the project affected persons herein with a view to ascertain whether they are project affected persons as claimed by them and whether they are entitled to allotment of lands under the provisions of the Maharashtra Project Affected Persons Rehabilitation Act, 1999;

(ii) We further direct that the Petitioners to appear before the District Resettlement Officer, Pune on 11.02.2019 and produce necessary documents along with their Representations claiming benefits. In the event of request made by the Petitioners for grant of time to enable them to furnish the documents, it would be open for

the District Resettlement Officer to grant further time after considering their Representations together with necessary documents;

(iii) The District Resettlement Officer, Pune shall pass appropriate orders as expeditiously as possible and preferably within six months from the date of appearance of the Petitioners before the concerned authority;

(iv) In the event, the District Resettlement Officer upholds entitlement of the Petitioners for allotment of land, it would be necessary for the said authorities to take further steps in pursuance of the decision and necessary steps shall be taken as early as possible and preferably within six months from the date of such decision;

(v) It is needless to mention that the Respondent-authority shall have to follow the procedure under Section 16(2) of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 i.e. issuance of notice to the Petitioners calling upon them to express their willingness in respect of allotment of land and on receipt of communication to the notice by the concerned authority, to take further steps expeditiously;

(vi) It would also be obligatory on the part of the Petitioners to deposit the amount within the time stipulated in the Act. In the event of any difficulty in respect of allotment of land, it would be obligatory

on the part of the authorities to observe the procedure prescribed by law and to pass appropriate orders within the contemplation of sub-section 4 of Section 16 of the Maharashtra Project Affected Persons Rehabilitation Act, 1999.

2] In view of above directions, all Writ Petitions are disposed of.

3] In view of disposal of the petitions, all pending civil applications, if any, stand disposed of.

[V. L. ACHLIYA, J.]

[R. M. BORDE, J.]