

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 967 OF 2019

Kolhapur Zilla Sahakari Dudh  
Utpadak Sangh Ltd., Kolhapur  
through authorised person

Dayanand L. Patil

... Petitioner.

V/s.

The Collector and Resettlement Officer  
and anr.

... Respondents.

Mr. A.B. Borkar for the Petitioner

Mrs. P.N. Diwan, AGP for the Respondent – State.

**CORAM : R.M. BORDE AND V.L. ACHLIYA, JJ.**

**DATE : 1<sup>st</sup> FEBRUARY 2019.**

P.C.:

1] Leave to amend the petition. Amendment to be carried out forthwith.

2] The petitioner is objecting to the communication dated 13<sup>th</sup> August 2018 issued by the Additional Collector, Kolhapur, whereby the petitioner has been directed to comply with the provisions of Section 10(6) of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 (for short “said Act”) and in the event of failure, it has been recorded, that the petitioner society would be liable for an action under Section 21(5) of the said Act. The petitioner has been directed to furnish necessary information

to the Additional Collector within a period of 15 days from the date of communication.

3] It would be open for the petitioner to tender a requisite information as requested by the Additional Collector, Kolhapur. It would also be open for the petitioner to tender an explanation as regards the communication dated 13<sup>th</sup> August 2018. The aforesaid communication shall be construed as a notice calling upon the petitioner to tender an appropriate explanation and on receipt of explanation, the concerned Authority may have liberty to take appropriate action as permissible in law. In the event of issuance of any order adverse to the interests of the petitioner, the same shall not be given effect for a period of 15 days from the date of service of such order on the petitioner society so as to facilitate the petitioner to avail of the remedy permissible in law for challenging the said action/order.

4] In view of above directions, Writ Petition is disposed.

**(V. L. ACHLIYA, J.)**

**(R.M.BORDE, J.)**