

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13450 OF 2018

Jyasing Mahadu Bhujbal ...Petitioner
Versus
State of Maharashtra & ors. ...Respondents

Mr. Vilas B. Tapkir, for the Petitioner.
Mr. R. S. Pawar, AGP for Respondent nos.1 to 3/State.

CORAM: R. M. BORDE &
N. J. JAMADAR, JJ
DATED: 20th March, 2019

PC:-

1. It is the contention of the Petitioner that the agricultural lands belonging to the Petitioners were the subject matter of acquisition proceedings initiated at the instance of Respondent nos.1 to 3. It is pointed out that the notification under Section 4 has been issued on 2nd August, 1991, which was followed by the notification under Section 6 of the Land Acquisition Act, 1894 issued on 14th November, 1991. However, further proceedings were not taken up and the award has not been passed.

2. Affidavit-in-Reply has been presented by the Deputy Collector, Land Acquisition No.22, Pune, wherein it has been accepted that though the proceedings were initiated in the year 1991, with issuance of notification under Section 4,

those have not culminated in declaration of an award. In respect of the averments made by the Respondents that the possession of the property has been taken over and that the concerned party was put in actual possession of the agricultural property, we do not propose to comment upon the disputed question raised by the parties.

3. The Land Acquisition Officer has specifically stated in Affidavit-in-Reply that the fresh proposal for acquisition of remaining lands from Shikrapur has been initiated. It would be open for the Respondents – Authority to take up the proceedings in accordance with the provisions of law and declare the award in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. No further directions need to be issued in the instant petition.

4. The Writ Petition is accordingly disposed of.

[N. J. JAMADAR, J.]

[R. M. BORDE, J.]