

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

CIVIL REVISION APPLICATION NO.316 OF 2016

Pune Municipal Corporation ... Applicant
Vs.
Rajeev L. Sangtani and Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 459 OF 2017
IN
CIVIL REVISION APPLICATION NO.316 OF 2016**

Rajeev L. Sangtani and Ors. ... Applicants

IN THE MATTER OF

Pune Municipal Corporation ... Petitioner
Vs.
Rajeev L. Sangtani and Ors. ... Respondents

.....

Mr. Abhijit P. Kulkarni for the applicant.

Mr. S. R. Ganbavale I/b. Mr. Sangramsinh S. Yadav for respondent No.1.

Mr. A.R. Patil, AGP for State/respondent No.5.

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CORAM : M. S. KARNIK, J.

DATE : 24th SEPTEMBER, 2019.

P. C.:

1. Heard learned counsel for the parties.
2. The Full Bench of this Court has in Civil Revision Application No.316 of 2016 squarely answered the issue which arises for consideration in the present Revision. In view of the judgment and order passed in Civil Revision Application No.316 of

2016 the impugned order below Exhibit 24 in Land Reference No.162 of 2015 is set aside.

3. As a consequence of setting aside this order the references made by the Special Land Acquisition Officer to the District Court will now have to go back to the Collector. In turn the Special Land Acquisition Officer shall refer the references for determination to the Authority constituted under Section 51 of the Act of 2013 in accordance with the provisions contained in Section 64 of the Act, 2013.

4. With these observations, the present Civil Revision Application is allowed. The impugned order is set aside.

5. In view of the disposal of the Civil Revision Application, nothing survives for consideration in the Civil Application. The Civil Application is disposed of accordingly.

6. The matter be referred by the Special Land Acquisition Officer to the concerned Authority expeditiously.

7. Parties to act on an authenticated copy of this order.

(M. S. KARNIK, J.)