

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Misc. Civil Application No.25 of 2019 (for Restoration)

In

Writ Petition No.7410 of 2017 (D)

Shri Arjun Daulatrao Vairagade and another

Versus

Maharashtra Airport Development Company Ltd., Khapri(Rly.), Nagpur, and others.

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Ms Shilpa G. Barbate, Advocate for Applicants/Petitioners.

Coram : R.K. Deshpande & S.M. Modak, JJ.

Dated : 18th March, 2019

For the reasons stated in the application, the application is
allowed. Writ Petition No.7410 of 2017 is restored to file.

The Misc. Civil Application for restoration stands disposed
of.

Heard the learned counsel for the petitioners on merits of
the matter.

The petition claims an order of restraint against the
respondent No.1- Maharashtra Airport Development Company
Ltd. from taking possession of the lands, bearing Survey
Nos.151/3-4-5 and 175/A-1 of Mouza Khapri (Rly), Tq. and

Dist. Nagpur, admeasuring $0.71 + 0.18 = 0.89$ HR, as the same is not the subject-matter of acquisition. Our attention is also invited to the communication dated 19-10-2012 issued by the Public Relation Officer, the respondent No.3, informing the petitioner that Survey No.151/3-4-5 is not acquired. The status of Survey No.175/A-1 is not shown by the respondent, but the same is also not included in the award as the land acquired. The petitioner was asked to contact the Maharashtra Airport Development Authority to obtain no-objection for the development of the land, but now it is informed that the land is under acquisition as per the communication dated 12-6-2017 at Annexure-P1 to this petition.

Issue notice for final disposal of the matter, to the respondents, returnable on 10-6-2019.

The parties are directed to maintain status quo.

(S.M. Modak, J.)

(R.K. Deshpande, J.)