

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8967 OF 2005  
 WITH  
 CIVIL APPLICATION NO.1024 OF 2011  
 IN  
 WRIT PETITION NO.8967 OF 2005

...  
 Ichalkarnji Industrial Cooperative Estate ...Petitioner  
 Versus  
 The State of Maharashtra and Ors. ...Respondents

.....  
 Mr. Pratap Patil for the Petitioner in WP/8967/2005.  
 Mr.Prashant Kulkarni for the Applicant in CAW/1024/2011.  
 Ms P.N. Diwan, AGP for the Respondents -State.

...

**CORAM : A.A. SAYED &****SMT. ANUJA PRABHUDESSAI, JJ.****DATED : 21 FEBRUARY 2020****P.C.:**

Prayer clauses (a) and (b) of the Petition read as follows:

“(a) This Honourable Court be pleased to issue writ, mandamus and/or any other writ, order or direction in the nature of mandamus and thereby be pleased to direct the Respondent No.2 to forthwith withdraw and/or cancel the impugned communication/order issued by the Respondent No.2 dated 30-8-2005 bearing outward No.Caryasen-11/LA/RR/1488/05 and this Honourable Court be pleased to quash and set aside the same.

(b) This Honourable Court be pleased to issue writ, mandamus

and/or any other writ, order or direction in the nature of mandamus and thereby be pleased to direct the Respondents herein to forthwith continue acquisition process of land admeasuring 104 Acres or 41.74 Hectare situated at village Tardal, Taluka: Hatkanangale, District: Kolhapur, as per the order of the Respondent No.2 dated 26-2-2004 and the said acquisition proceeding may be directed to be completed within the time bound frame.”

2. In view of the enactment of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the acquisition shall now be required to be initiated under the said Act of 2013. We therefore dispose of the Petition leaving it open for the Respondents to initiate fresh land acquisition proceedings in accordance with the Act of 2013, if so advised.

3. In view of the disposal of the Writ Petition, the Civil Application does not survive and to stand disposed of.

**(ANUJA PRABHUDESSAI,J.)**

**(A.A.SAYED, J.)**