

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4323 OF 2019**

Smt. Parvatibai Babaji Shinde
Through Power of Attorney holder
Shri. Pratap Babaji Shinde

..Petitioner

Versus

Government of Maharashtra & Ors.

..Respondents

Mr. P. G. Hartalkar i/by Mr. Tejas P. Hartalkar, Advocate for the
Petitioner.

Ms. Nisha Mehra, AGP for the Respondent - State.

**CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 6th FEBRUARY, 2020**

P.C.

1] The disjunctively pleaded case restrains us from passing an effective order, but the bare minimum facts justify the direction which we herein-after be issued.

2] Petitioner's grandmother Bagiratibai Jaising Kadam who died on 3rd November 1981 was the owner of the land comprised in Gat No.15/1B and 90/2C situated at Mouje Vele, Taluka Javali, District Satara which was acquired for Koyna Hydroelectric Project. Her land comprised in Survey No.56 in village Javali, District Satara was also acquired for the same project. Claiming entitlement to compensatory land as project affected person, late Bagiratibai Jaising Kadam made representations to the State Officials to satisfy her claim and on her death her daughter Parvatibai Babaji Shinde, the mother of

the Petitioner, made representations to satisfy the claim. ₹ 2093 required to be deposited in the treasury was also deposited. It is pleaded in the Petition that whereas claim of similarly persons was processed and satisfied claim of the grandmother of the Petitioner who has died was not processed and much less satisfied.

3] From the documents filed and in particular Exh.D, it appears that part claim was satisfied and the grievance of the Petitioner is that the remainder needs to be satisfied.

4] It is unfortunate that proper pleadings could not be made to bring out as aforesaid and we are handicapped in recording the area of land which was allotted and the area which the Petitioner still wants to be allotted.

5] The prayer made is generic; that 50% of the acquired land should be allotted to rehabilitate the Petitioner. It is also intermingled in the prayer that 7 Acres land be allotted.

6] Under the circumstances, we dispose of the Writ Petition directing Respondent No.4 to treat the Writ Petition as representation and pass necessary orders which shall be communicated to the Petitioner within six weeks from today.

Arjun M.
Kadam

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Arjun M. Kadam
Date: 2020.02.07
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SMT. BHARATI DANGRE, J

BGP.

CHIEF JUSTICE