

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION
WRIT PETITION NO. 6999 OF 2016**

Sau. Sangita Ramnivas Kale & Anr.
V/S

...Petitioners

The State Of Maharashtra & Ors.

...Respondents

Mr Pravartak Pathak for the Petitioners

Mr. A. I. Patel, Addl.G.P. a/w. N. K. Rajpurohit, AGP for the Respondent Nos. 1 to 3-State.

Mr. R. M. Pethe for the Respondent Nos. 4, 6 to 10.

**CORAM : A. A. SAYED &
ANUJA PRABHUDESSAI, JJ.
DATED : 22nd January, 2020**

P.C.:

Pursuant to the order dated 8th January, 2020, the Respondent No. 4-Corporation has filed an Affidavit dated 10th January, 2020. Paragraph Nos. II to VI of the Affidavit read as follows:

"II. I say that earlier proposal for the acquisition of the suit land had lapsed after the coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. I say that it appears from the record that the Road Department of the P.M.C. has developed the Road/bridge on the suit land.

III. I say that the now new docket / proposal is mooted for reviving the Original Acquisition Proposal No. 207. Considering the factual aspect involved in the matter it is proposed to request the Collector, Pune and the Special Land Acquisition Officer No. 15 to initiate the action for the acquisition of the Suit Land of the Petitioners' immediately. For determination of the

compensation amount the P.M.C. has considered the Ready Reckoner rate for the year 2019-20 and accordingly the Road Department is making monetary provision for depositing the same with the Collector, Pune. The compensation amount will be deposited immediately as and when informed by the Collector, Pune/the Special Land Acquisition Officer No. 15.

IV. I say that on 10.01.2020, the docket is submitted to the Municipal Commissioner, Pune for his sanction. Annexed hereto and marked as Exhibit 1 is the copy of the said letter.

V. I say that the Municipal Commissioner has accorded his sanction for the said proposal. Accordingly the proposal is now submitted to the Collector with a request to take necessary action for the acquisition of the suit land. Annexed hereto and marked as Exhibit 2 is the copy of the said letter.

VI. After the accord the Municipal Commissioner the proposal is now forwarded to the Collector, Pune with the request to revive the acquisition proposal in respect of the land of the Petitioners' and complete the acquisition proceedings immediately."

2. In the circumstances, we dispose of the Writ Petition by passing the following order:

ORDER

- a. The Respondent No. 3-District Collector shall initiate the acquisition proceedings and determine the compensation within a period of 3 months from the day this order is uploaded and communicate the same to the Respondent No. 4-Corporation. On receipt of the said communication, Respondent No. 4-Corporation shall deposit the amount of

compensation with the Respondent No. 5-the Special Land Acquisition Officer (SLAO) within a period of three weeks thereafter. The SLAO shall make an award in accordance with law and pay the compensation to the Petitioner within six weeks thereafter.

(ANUJA PRABHUDESSAI, J.)

(A. A. SAYED, J.)