

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3665 OF 2020

Vijaya Suhas Kothari & Anr.	]	... Petitioners
Versus		
The Deputy Collector, Resettlement,	]	
Pune District, Pune & Ors.	]	... Respondents

Mr. Nitin P. Deshpande a/w Ms. Kanchan Phatak for Petitioners.
Mr. A. I. Patel, Addl.G.P. a/w Ms. S. S. Bhende, AGP for State.

CORAM :- A. A. SAYED &
S. P. TAVADE, JJ.
DATE :- 22 DECEMBER, 2020

P. C. :-

1. The Writ Petition is filed seeking the following relief :

“(a) this Hon’ble Court may, by way of appropriate writ Order of direction, direct the Respondents to forthwith delete the entries of the reservation from revenue record of the land admeasuring 0.35 Hectors and 0.37 Hectors, bearing Gat No.468/4 & 468/2 at village Devkar, Taluka Daund, District Pune;”

2. Pursuant to Notification issued under Section 11 of the Maharashtra Resettlement of Project Affected Persons Act, entries were made in the other rights column of the 7x12 Extract / Form of the subject land showing that the land as reserved for resettlement of project affected persons. We are told by the learned Counsel for the Petitioner that the entries were made sometime in the year 1997/98. No steps have been taken by the State Government to acquire the subject land.

3. Learned Counsel for the Petitioner has placed reliance on the order dated 14/08/2019 in Writ Petition No.5763 of 2017 and the order dated 28/01/2020 in Writ Petition No.10552 of 2019. The issues raised in the said Writ Petitions are similar to the issues raised in the present Writ Petition. Hence, following the said orders dated 14/08/2019 and 28/01/2020, we pass the order in the present Writ Petition on the same lines :

ORDER

- (a) We direct the Respondents to delete the entries of “reservation of Project Affected Persons’ from other rights column of the 7x12 Forms / Extracts of the subject land within 4 months from today. We make it clear that this order shall not in any way preclude the State Government from acquiring the subject lands in future for rehabilitation of Project Affected Persons, after deletion of the entries as directed.
- (b) The Writ Petition is allowed in the aforesaid terms.

(S. P. TAVADE, J.)

(A. A. SAYED, J.)