

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10552 OF 2019**

Sharad Hanumant Murhe & Ors.

.. Petitioners

V/s

The State of Maharashtra & Ors.

.. Respondents

Ms. Shakuntala Wadekar for the Petitioners.

Mr. A. I. Patel, Addl. G.P. with Ms. P. N. Diwan, AGP for the Respondent Nos. 1 to 6-State

**CORAM : A. A. SAYED &
 ANUJA PRABHUDESSAI, JJ.
DATED : 28th January, 2020**

P.C.:

The Petitioners claim to be the owners of the subject lands. The subject lands are stated to be in the benefited zone of Bhama Askhed Dam Project. The Writ Petition is filed seeking direction against the Government Authorities to delete the entries of “reservation of Project Affected Persons’ from other rights column of the 7x12 Forms/Extracts and other records maintained by the Revenue Department of the State Government.

2. It is an admitted position that after the Notification under section 11 of the Maharashtra Resettlement of Project Affected Persons Act, 1976 and Notification under section 4 of the Land Acquisition Act, 1894 issued on 24.01.2000 for acquisition of the

subject lands, no further steps were taken for acquisition of the subject lands and the acquisition has lapsed.

3. We have perused the following orders passed by different Benches of this Court viz.

(i) Order dated 14th August, 2019 in case of Aananada Kashinath Shukhla V/s. State of Maharashtra in Writ Petition No. 5763 of 2017;

(ii) Order dated 17th September, 2013 in case of Smt. Chandrabhaga Nathu Sakhare & Ors. Vs. The State of Maharashtra & Ors in Writ Petition No. 5207 of 2013;

(iii) Order dated 17th October, 2018, in case of Tatyaba D. Ruke Vs. The State of Maharashtra & Ors. in Writ Petition No. 2821 of 2018

(iv) Order dated 23rd February, 2018 in the case of Hiranman Chandu Barne vs. The State of Maharashtra & Ors. in Writ Petition No. 14265 of 2017.

In the aforesaid cases, which are similar to the cases in hand, orders have been passed directing the deletion of the entries in the 7/12 Extract.

4. We note the following observation of this Court in the order dated 14th August, 2019 passed in Writ Petition 5763 of 2017:

“5. We expect the State Government to issue a further G.R., interalia, setting out the time-lines for the disposal of Applications which may be made under the aforesaid Government Resolution dated 5th August, 2019, which would make the said Government Resolution more workable and obviate the aggrieved land owners from having to approach this Court in future.”

There is no further GR issued by the State Government.

5. In the circumstances, following the aforementioned orders passed by various Benches of this Court, 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 anyway preclude the State Government from acquiring the subject lands in future for rehabilitation of Project Affected Persons, after deletion of the entries as directed.

6. The Writ Petition is allowed in the aforesaid terms.

(ANUJA PRABHUDESSAI, J.)

(A. A. SAYED, J.)