

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

WRIT PETITION NO. 7765 OF 2018

Smt. Battasabai Bhiku Ranpise & Ors. .. Petitioners
Vs.
Divisional Commissioner, Pune & Ors. .. Respondents

Mr. S. R. Nargolkar a/w. Mr. Ketan Joshi i/b Ergo Juris for the
Petitioners.

Mr. M. M. Pabale, AGP for Respondent Nos.1 to 5.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 21st JANUARY, 2020.

P. C. :

1. Application made by the Petitioners to be allotted compensatory land under the Maharashtra Project Affected Persons Act, 1999 was rejected by the District Resettlement Officer on 19.05.2010 against which an Appeal preferred before the Divisional Joint Commissioner was dismissed on 21.07.2010. Revisional remedy availed of by the Petitioners was fruitful when the Hon'ble Minister of Revenue and Forest allowed the Revision on 28.08.2014 directing the Competent Authority to allot alternative land to the Petitioners.
2. The grievance of the Petitioners is that the said decision by the Hon'ble Revenue Minister is not being implemented.
3. In response it is pleaded that the necessary decision has to be taken by the District Resettlement Officer, Pune and not the Special

Land Acquisition Officer impleaded as Respondent No.3.

4. The Petitioners pray that either of Respondent Nos.2 to 4 be directed to take a decision.

5. Since the District Resettlement Officer, Pune has not been impleaded as party and it is established that it is said officer who has to pass necessary orders and do the needful, it was expected that the State authorities should have transmitted the file of the Petitioners to the District Resettlement Officer, Pune.

6. A Government servant who is not authorized to receive an application ought not to receive the application. It is his duty to return the application to the Applicant informing the Applicant that he/she is knocking at the wrong door. The door to be knocked has to be told.

7. Thus, we dispose of the Petition directing the Respondent Nos.2 to 4 to make a reference to the District Resettlement Officer, Pune who alternatively could also take cognizance of a request made by the Petitioners and thereafter do the needful in compliance with the order dated 28.08.2014 passed in the Revision by the Hon'ble Minister for Revenue and Forest.

8. Compliance be made within 12 weeks.

[SMT. BHARATI DANGRE, J.]

[CHIEF JUSTICE]

Arjun
M.
Kadam

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