

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.7681 OF 2017

Pravin Shyamrao Tajne, Bhadrawati, Chandrapur

-vs-

District Magistrate, Chandrapur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri N. A. Gaikwad, Advocate for petitioner.

Shri B. M. Lonare, Assistant Government Pleader for respondent
No.1.

Shri Sachin Zoting, Advocate for respondent No.2.

CORAM : A. S. CHANDURKAR AND VINAY JOSHI, JJ.

DATE : January 22, 2020

The petitioner has challenged the order dated 24/03/2015 passed by the Collector, Chandrapur determining the amount of compensation to which the petitioner is entitled under Section 16(1) of the Indian Telegraph Act, 1885 (for short, the said Act). The petitioner also seeks enhancement in the said amount of compensation.

Shri S. D. Zoting, learned counsel for the respondent No.2 submits that an alternate remedy under Section 16(3) of the said Act is available to the petitioner if he is not satisfied with the quantum of compensation awarded by the Collector.

Since the adjudication of the prayer as made by the petitioner would involve factual aspects we were inclined to permit the petitioner to avail the remedy under Section 16(3) of the said Act.

Hence with aforesaid liberty the writ petition is disposed of. The time spent in prosecuting the present proceedings be taken into consideration if the petitioner files proceedings under Section 16(3) of the said Act. All points are kept open.

No costs.

JUDGE

JUDGE