

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10365 OF 2021

Vinod Balasaheb Dhotre

PETITIONER

VERSUS

The Regional Officer,
Regional Office, M.I.D.C.,
Aurangabad Industrial Area,
Near Railway Station,
Aurangabad and others

RESPONDENTS

Mr. Anand V. Patil-Indrale, Advocate for the Petitioner
Mr. S.S. Dande, Advocate for respondent Nos.1 and 2
Mr. S.W. Munde, A.G.P. for respondent No.3/State

**CORAM : DIPANKAR DATTA, CJ &
 MANGESH S. PATIL, J.**

DATE : 28.09.2021

P.C. :

Having heard the learned Advocates for the parties, we are of the considered opinion that this writ petition should fail on the ground of non- infringement of any legal right of the petitioner.

2. The petitioner's grandfather (since deceased) was the owner of agricultural lands, admeasuring 14 acres 20 gunthas. Such lands came to be acquired by the respondents in the year 1966 for the purpose of setting up an industrial unit of the Maharashtra Industrial Development Corporation (MIDC) at Chikalthana. It is not in dispute that for such acquisition of lands, the petitioner's deceased grandfather was duly compensated in accordance with law.

3. It is also not in dispute that a policy for allotment of plots under 'Project Affected Persons' (PAP) category was introduced w.e.f. 30.06.1994. In terms of such policy, plots could be allotted to the project affected persons after compliance with formalities laid down therein. The petitioner had applied on 31.01.2019 for allotment of plot of land in Chikalthana, M.I.D.C. area, which has since been rejected by the Regional Officer of MIDC – respondent no.1, by his order dated 18.02.2019.

4. The said order dated 18.02.2019 is challenged in this writ petition.

5. Since the lands of the petitioner's grandfather were acquired almost three decades prior to introduction of the policy for rehabilitation of project affected persons by allotting plots in their favour, we do not consider that the petitioner had or has any right to claim allotment of land pursuant to acquisition of lands of his grandfather. Compensation for acquisition of lands as provided by law having been made over way back, the beneficial schemes that are envisaged and brought into force in 1994 cannot relate back to vintage era acquisitions.

6. There is no merit in the writ petition. It stands dismissed. No costs.

[MANGESH S. PATIL, J.]

[CHIEF JUSTICE]

