

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7690 of 2021**

Shri Shankar Dattu Chougale

....Petitioner

Versus

The State of Maharashtra and ors.

....Respondents

Mr. Tanaji Mhatugade, advocate for the petitioner.

Mr. R. S. Pawar, AGP for the State.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 17th NOVEMBER, 2021.

P.C. :

1. Heard learned counsel for the petitioner.
2. As a very limited issue is involved in the petition, we deem it appropriate to dispose of the petition at the admission stage.
3. The petitioner who is an agriculturist was the owner of certain land in Village – Begawade, Taluka – Bhudargad, District- Kolhapur. The land of the petitioner was acquired for a project viz.Chikotra Medium Irrigation Project. It is the submission of learned counsel for the petitioner that the petitioner was entitled for an alternate land under the policy of

the Government. Learned counsel for the petitioner invited our attention to copy of proforma application submitted to the respective authorities more particularly to the Collector, Kolhapur (Rehabilitation Branch) on 17th September, 2019. The grievance raised in the backdrop of this fact is of non-action of the authorities and it is submitted that even though the petitioner took all the necessary steps expeditiously and submitted the application to the authority, the authority is sitting tight over the application for a long period. Learned counsel for the petitioner submitted that in identical circumstances, the Division Bench of this Court, disposed of the writ petition with directions. Our attention was invited to the copy of the order dated 25th November, 2019, passed by the Division Bench which is placed on record at Exhibit - 'G', page 22.

4. Considering all the facts mentioned above, we deem it appropriate to dispose of the writ petition by passing the following order :

O R D E R

(1) Respondent No.2- The District Rehabilitation Officer Kolhapur, shall decide the proforma application dated 17th September, 2019, submitted by the petitioner along with affidavit as early as possible and not later than 10 days from today.

(2) Respondent No.2/Competent Authority may also consider the aspect that the petitioner has expressed

his willingness for a particular land and the authority may consider that willingness while deciding petitioner's claim for an alternate land, since he being a project affected person.

The writ petition stands disposed of.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)