

Trusha T.
Mohite

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

WRIT PETITION NO.783 OF 2021

Khandu Vithu Shelar Petitioner

Vs.

The State of Maharashtra and Ors. Respondents

WITH

WRIT PETITION NO.782 OF 2021

Jagu Waku Shelar Petitioner

Vs.

The State of Maharashtra and Ors. Respondents

Mr.Y.B.Lengare for the Petitioner

Mrs.P.J.Gavhane, A.G.P. for the State in Writ Petition No.783
of 2021

Mr.S.S.Panchpor, A.G.P. for the State in Writ Petition No.782
of 2021

**CORAM: K.K.TATED &
RIYAZ I. CHAGLA, JJ.**

DATED : MARCH 8, 2021

P.C.

. Heard.

2. The learned counsel for the Petitioner submits that in both the matters, Petitioners are project affected persons and they are entitled alternate land as per the Maharashtra Resettlement of Project Displaced Persons Act, 1976 and 1999.

3. The learned counsel for the Petitioner submits that the land which is allotted to both the Petitioners is not suitable. He submits that in both the matters, land is not cultivable. Therefore, it is not possible for them to use the same for his livelihood. Therefore, Petitioner made Application through their advocate dated 22.12.2020 for allotment of land from Gut No.592/2 and 591/4. He submits that in the interest of Justice, this Hon'ble Court be pleased to direct the Respondents to consider the Petitioner's Application dated 22.12.2020 on its own merits and if both the lands are available, they may be directed to allot the same to the Petitioners as project affected persons instead of the land which are already allotted.

4. The learned A.G.P. for the Respondents submits that if those lands are available then they can consider the Petitioner's request on its own merits. Considering these facts, both the Petitions stand disposed of with following direction:

a. Respondent to consider the Petitioner's representation dated 22.12.2020 on its own merits for allotment of lands from Gut No.592/2 and 591/4 (those lands are available for allotment)

- b. Respondents to take decision within 8 weeks from today and inform the Petitioner in writing.
- c. Both the Writ Petitions stand disposed of accordingly.
- d. No order as to costs.
- e. No interim relief at present.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)