

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

WRIT PETITION NO. 4899 OF 2021

Baban Thaku Solase

..Petitioner

Versus

The State of Maharashtra and Ors.

..Respondents

Mr. Suresh M. Sabrad a/w Mr. Amey C. Sawant i/b Ms. Neha Parte,
advocate for Petitioner.

Ms.Rupali Shinde, A.G.P. for State/Respondents.

**CORAM : SMT. SADHANA S. JADHAV &
SARANG V. KOTWAL, JJ.
DATE : 01st SEPTEMBER, 2021.**

PC :

1. Heard.

2. The Petitioner claims that his land bearing gat No. 138/4 admeasuring 1 hectare 90 Ares and in gat No. 138/3 admeasuring 40 Ares, situated at Mouje Dehane, Taluka Khed, District Pune was acquired pursuant to an award dated 31/03/1989. He therefore, claims to be project affected person as his land was acquired for Chance Project. The Petitioner was not declared as project affected person and therefore according to the Petitioner, he would be deprived of all benefits which would be given to the project affected person. Hence the Petitioner has filed the application before the

Deputy Collector to decide his claim by determining as to whether he belongs to project affected person. The said application is filed on 05/02/2021.

3. It is submitted that the said application is not yet decided. Hence the Petition deserves to be allowed in terms of prayer clause (b) which reads as follows:-

“By an appropriate writ, order or direction, this Hon’ble Court be pleased to direct the Respondent No. 3 herein to decide the application made by the Petitioner in the prescribed form as per the directions contained in the order dated 7.2.2017 passed by this Hon’ble Court in Writ Petition No. 8988 of 2013.”

4. We, therefore, direct the Deputy Collector to decide the said application within eight weeks from the date of receipt of this Order.

5. In view of the above, the Petition is allowed in terms of prayer clause (b).

6. Rule is made absolute in accordance with law.

(SARANG V. KOTWAL, J.)

(SMT. SADHANA S.JADHAV,J.)
