

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

WRIT PETITION NO. 2508 OF 2021

Savkar Godha Gaikwad & Anr.

.... Petitioners

Versus

The State of Maharashtra & Ors.

.... Respondents

Mr. Manoj Bharat Bagal for the Petitioners.

Ms A. A. Purav, AGP for the Respondent-State.

**CORAM : SMT. S. S. JADHAV AND
SURENDRA P. TAVADE, JJ.**

DATE : 05th AUGUST, 2021

P.C.:

- . Rule. Rule taken up for hearing with consent of both the parties.
2. The present petition is filed seeking direction against the Government Authority to delete the entries of reservation for Project Affected Persons from (other right column) of the 7/12 form / extracts of record of rights maintained by Revenue Department of this State Government.
3. The Petitioners are owners of land bearing Block No. 78/11 admeasuring 6 Hectare 97 Ares, situated at Village- Fakate, Taluka- Shirur, District- Pune. The said land is situated in the benefited zone of Chasakman Project. The Respondent No. 3 was appointed for the purpose of acquiring land for rehabilitating Project Affected persons of Chasakman Project.

4. It is contended that the acquisition has been lapsed due to non-compliance of the provisions of Sections 13, 14 and 15 of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 (earlier known as Maharashtra Resettlement of Project Displaced Persons Act, 1976)

5. Heard Learned AGP appearing for the State. It appears that there is no compliance of the provisions of Sections 13, 14 and 15 of the Maharashtra Project Affected Persons Rehabilitation Act, therefore, the acquisition lapsed automatically. In the similarly situated case this Court has passed order in Writ Petition No. 5207 of 2013 and the said petition was disposed of directing the Respondent No. 2 to direct his officers to delete the entries made in the revenue record of the land of the Petitioner therein as expeditiously as possible and in any case within a period of four weeks from the date of the order.

6. In the present case the land acquisition proceeding has been lapsed but the entries made in revenue record reserving the lands for Project Affected Persons have not been deleted. The said entries are required to be deleted from the revenue record. We are directing the Respondent No. 2 to direct his concerned officers to delete the entries of reservation for the Project Affected Persons from the other rights column of the 7/12 extract of the land admeasuring 1 Hectare 97 Ares, from and out of Gat No.78/11 admeasuring 6 Hectare 97 situated at Village- Fakate, Taluka- Shirur,

District- Pune, as early as possible and in any case within a period of six weeks from today.

7. We make it clear that this order shall not in anyway preclude the State Government from acquiring the subject lands in future for rehabilitation of Project Affected Persons, after the deletion of the entries as directed.

8. The Writ Petition stands disposed of accordingly.

(SURENDRA P. TAVADE, J)

(SMT. SADHANA S. JADHAV, J.)