

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

WRIT PETITION NO. 3175 OF 2021

Mukunda Bahiru Jounjale

.... Petitioner

Versus

The State of Maharashtra & Ors.

.... Respondents

Mr. Suresh M. Sabrad for the Petitioner.

Mr. V. M. Mali, AGP for the Respondent-State.

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

DATE : 04th AUGUST, 2021

P.C.:

. Rule. Rule taken up for hearing with consent of both the parties.

2. The Petitioner is owner of land bearing Survey No. 45/1/1, situated at Mouje Marunji, Taluka- Mulshi, District- Pune. Initially the said land was numbered as Survey No. 45/1+2+3, subsequently, Pot Hissas were created. The said land did not fall within the benefited zone of the project viz. Kasarsai Madhyam Project, the same was sought to be acquired. The notification under Section - 4 of the Land Acquisition Act, 1894 came to be issued but no steps were taken till now. Hence, the acquisition proceedings have lapsed automatically. It is also contended that 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.

3. 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 effected vide Mutation Entry No. 1278 from the other rights column of the 7/12 extract as early as possible and in any case within a period of six weeks from today.

4. 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.

5. The Writ Petition stands disposed of accordingly.

(SURENDRA P. TAVADE, J)

(SMT. SADHANA S. JADHAV, J.)