

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8629 OF 2018**

Raosaheb Bapu Badbade and Anr. ... Petitioners

V/s.

The State of Maharashtra and Ors. ... Respondents

Mr. Tejpal Shrikant Ingale a/w Mr. Ajit L. Magdum, Advocate for the Petitioners.

Mr. S.B. Kalel, AGP for the Respondent - State.

**CORAM : SMT. SADHANA S. JADHAV &
SARANG V. KOTWAL, JJ.**

DATE : 11th AUGUST 2021.

PC. :

1. Rule. Rule taken up for hearing with consent of both the parties.
2. The present petition is filed seeking directions against the Government Authority to delete the names 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 Gat No.392 admeasuring 0-H 49-R, Gat No.266 admeasuring 1-H 14-R and Gat

No.134 admeasuring O-H 46-R, situated at Village Akiwat, Taluka Shirol, Dist. Kolhapur. The said land is situated in the benefited zone of Kalamawadi-Dudhganga Project. The Respondent No.4 was appointed for the purpose of acquiring land for rehabilitating Project Affected persons of Kalamawadi-Dudhganga Project.

4. 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.

5. 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.3 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 bearing Gat No.392 admeasuring 0-H 49-R, Gat No.266 admeasuring 1-H 14-R and Gat No.134 admeasuring 0-H 46-R, situated at Village Akiwat, Taluka Shirol, Dist. Kolhapur, as early as possible and in any case, within a period of six weeks from today.

6. Rule is made absolute in above terms. Writ Petition stands disposed of accordingly.

(SARANG V. KOTWAL, J)

(SMT. SADHANA S. JADHAV, J),

PALLAVI
MAHENDRA
WARGAONKAR

Digitally signed by
PALLAVI MAHENDRA
WARGAONKAR
Date: 2021.08.25
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