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SHRINIWAS
MALANI

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UMESH SHRINIWAS
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4900 OF 2021

Ankush Sakharam Kadam and Anr.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Y.B. Lengare a/w Wilson Robi for the Petitioner.

Mr. P.G. Sawant, AGP, for the Respondent – State.

**CORAM : PRASANNA B. VARALE &
V.G. BISHT, JJ.**

DATE : OCTOBER 20, 2021.

PER COURT :

1. Heard learned Counsel for the Petitioners.
2. Perusal of the order sheet shows that vide order dated 01st September, 2021, notice was issued to the Respondents and learned AGP waives notice and seeks time to file affidavit.
3. Learned AGP submitted before this Court that due to want of instructions affidavit-in-reply could not be filed.
4. Considering the limited grievance in the Petition, we deem it appropriate to dispose of the Petition without awaiting for the reply on behalf

of the Respondents.

5. Learned Counsel for Petitioners submits that Petitioners are the land owners situated at village Chikhalgaon, Tal. Khed, District. Pune. It is further submitted that these lands were acquired for certain projects and the Petitioners were entitled to receive the benefits as project affected persons. It may not be necessary for us to refer to the other facts in detail suffice it to say that the documents placed on record show that various certificates were issued in favour of the Petitioners through the Revenue Authorities namely, a certificate dated 05th December, 2018. The copy of the same is placed on record at Exh. A Collectively.

6. Learned Counsel for the Petitioners then invited our attention to an application submitted to the authorities more particularly, the competent authority i.e. Collector / Deputy Collector, Resettlement, Pune. It is subkitted that the proforma application is submitted by the Petitioner providing all the necessary details in the application such as, villages wherein the lands were situated, the area acquired in the project, a statement as to where the amount is deposited, whether amount to the extent of 75% is deposited with the authority etc. The copy of the said proforma is placed on record at Exhibit 'D' shows that the application was submitted to the competent authority way back in the year 2016 and precisely on 16.03.2016. The grievance of the Petitioner

is, in spite of approaching the authorities time and again, the authorities has not yet taken decision.

7. Considering the grievance as well as considering the orders passed by this Court dated 21st January, 2013 in Writ Petition No. 4197 of 2021 (Bhanudas Nanad Kalawade vs. State of Maharashtra and Ors) which is passed in identical circumstances, we deem it appropriate to dispose of the Petition with direction to Respondent No. 4 to decide the proforma application submitted by the Petitioner on 16.03.2016 as expeditiously as possible and not later than 8 weeks from the date of receipt of order of this Court.

8. If the Petitioner prayed for an personal hearing, the competent authority afford an opportunity of personal hearing to the Petitioner by fixing date.

9. Needless to state that this Court has not made any observations on the merit on the proforma application.

10. With the above directions, Writ Petition is disposed of.

(V.G. BISHT, J.)

(PRASANNA B. VARALE, J.)