

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.465 of 2021

Smt. Mendulbai Wd/o. Degaduji Suratne and others ...Petitioners

Versus

State of Maharashtra, through Secretary, Department of
Water Resources Mantralaya, Mumbai and others ...Respondents

With

Writ Petition No.466 of 2021

Haridas Dagaduji Suratne ...Petitioner

Versus

State of Maharashtra, through Secretary, Department of
Water Resources Mantralaya, Mumbai and others ...Respondents

Shri V.B. Bhise, Advocate for the Petitioners in both the Writ Petitions.

Shri A.M. Deshpande, Addl.GP for the Respondent - State in both the
Writ Petitions.

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 08 FEBRUARY 2021

P.C.:

Heard learned Counsel for the parties.

2. The Petitioners are seeking a direction to the Respondents to grant land in lieu of acquisition of their land acquired for the Karhi Minor Irrigation Project, Taluka Akot, District Akola.

3. The Petitioners have made a reference to the Maharashtra Project Affected Persons Rehabilitation Act, 1999, however, no notifications issued under the Act placed on record. The Annexures only refers to the award and proceedings under the Land Acquisition Act, 1894. If proceedings are only under the Land Acquisition Act, 1894, then as contended by the learned Additional Government Pleader, the Petitioners would be entitled for only compensation.

4. For examining the claim of the Petitioners for a land in lieu of acquisition of their land under the Act of 1999, the Petitioners must place on record and plead the case. The Petitions are bereft of such pleadings nor documents are filed.

5. The learned Counsel for the Petitioners prays for liberty to file fresh petitions annexing the requisite notifications and with necessary pleadings. With this liberty, the Writ Petitions are disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]