

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11892 OF 2022

Atmaram Doulu Gosavi	...Petitioner
Versus	
The State Of Maharashtra And Ors.	...Respondents

Mr.G.T. Kanchanpurkar, for Petitioner.
Mr.R.S. Pawar, AGP, for State Respondent.

CORAM : R.D.DHANUKA &
M.M.SATHAYE, JJ.

DATED : 14th DECEMBER, 2022

P.C. :

1. By this petition filed under Article 226 of the Constitution of India, the Petitioner has prayed for a writ of Mandamus and for a declaration that the Petitioner is entitled for residential plot and an alternate land from the benefitted zone of the Mahind Pond (Talav) Project.

2. Matter was on board on 08.12.2022, when this Court noticed that the Petitioner has already received payment of compensation, sometime in the year 2000 and did not make any application under Section 16(1) (a) of the Maharashtra Project Affected Persons Rehabilitation Act, 1999. This Court has already dealt with the issue raised in this petition in the Judgment delivered on 08.12.2022 in Writ Petition No.10346 of 2022 and has held that unless an application for allotment of land by an eligible affected person who has a desire for the allotment of a land is

made and thereafter an enquiry is made thereby the authority and notice is given by the State Government under Section 16(2)(a) for deposit of the amount. The principles laid down by this Court, in the said judgment, apply to the facts of this case.

3. For the reasons recorded in the said order, this court has already rejected this petition by order 08.12.2022.

(M.M. SATHAYE, J.)

(R.D.DHANUKA, J.)