

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 472 OF 2021

Sanjay Shankarrao Wagh

..... Petitioner

VERSUS

The State of Maharashtra & Anr.

..... Respondents

Mr.Drupad S.Patil, i/b. Mr.Dheeraj Patil for the Petitioner.

Mr.A.A.Alaspurkar, A.G.P. for the State – Respondent no.1.

Mr.Abhijit M.Adagule for the Respondent no.2.

**CORAM: R. D. DHANUKA AND
KAMAL KHATA, JJ.**

DATE : 13TH SEPTEMBER, 2022

P.C:-

The petitioner has prayed for a declaration that the reservation in respect of the writ land described in prayer clause (a) has lapsed.

2. Mr.Patil, learned counsel for the petitioner however on instruction states that though his client has prayed for a declaration that the reservation has lapsed, his client has no objection if the respondent no.2 Corporation acquires the said land and deposits 30% amount expeditiously and complete the entire acquisition proceedings

expeditiously and not later than the time prescribed under the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Statement is accepted.

3. Learned counsel for the respondent no.2 on instruction states that his client would deposit 30% of the ready reckoner price in respect of the writ land within three months with the respondent no.1. He further states that the declaration under section 126(4) of the MPRT Act would be issued within two weeks from the date of such deposit. Statements are accepted.

4. In view of the statement made by the learned counsel for the respondents, the petitioner does not press prayer clause (a) of the petition and accepts the decision of the respondent no.2 to acquire the land of the petitioner under the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. The respondent no.1 is accordingly directed to complete the

acquisition proceedings expeditiously and not later than the period of one year prescribed under the said Act commencing from the date of declaration under section 126(4) of the MRTP Act.

6. The State Government to take steps as agreed in the communication dated 27th September, 2020 annexed at page 92 of the petition.

7. Writ petition is disposed of in the aforesaid terms. No order as to costs. The parties to act on the authenticated copy of this order.

[KAMAL KHATA, J.]

[R. D. DHANUKA, J.]