

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3958 OF 2019

**Kadhru B. Khade,
through His Constituted Attorney holder,
Annasaheb Ramrao Khade**

..... Petitioner

VERSUS

State of Maharashtra & Ors.

..... Respondents

Mr.Balasaheb Deshmukh with Mr.Maheshwar A. Parab i/b Vidhat
Legal for the Petitioner.

Mr.A.I. Patel, Addl. GP with Mrs.Shruti D. Vyas - "B" Panel Counsel
for the Respondent Nos,1, 3 to 8 – State.

Mr.Vijay D. Patil for the Respondent N.2.

**CORAM: R. D. DHANUKA AND
M.G. SEWLIKAR, JJ.**

DATE : 20th JUNE, 2022

P.C:-

After arguing the matter for sometime, Mr. Deshmukh, learned
counsel for the petitioner states that the representation made by his
client on 27th July, 2017 to the Competent Authority, Sub-Divisional
Officer is still pending and to be considered.

2. We accordingly direct the Competent Authority to decide the

said representation within eight weeks from today.

3. In view of the issue raised by the petitioner that the award itself is not rendered by the Sub-Divisional Officer and the erstwhile owner of the land has not received any compensation, the Competent Authority shall consider the entire record for the period prior to the date of initiation of the acquisition proceedings, if any, till payment of compensation and then pass an appropriate order on the representation made by the petitioner.

4. The order that will be passed by the Competent Authority shall be conveyed to the petitioner within one week from the date of passing order.

5. If the representation of the petitioner is accepted, consequential reliefs sought by the petitioner shall be granted in accordance with law within a period of eight weeks thereafter and if the representation of the petitioner is rejected, the petitioner would be at liberty to file appropriate proceedings permissible in law.

6. This court has not expressed any views on the merits of the said representation made by the petitioner. All contentions of the petitioner are kept open.

7. Writ petition is disposed of in the aforesaid terms. No order as to costs.

8. The parties to act on the authenticated copy of this order.

[M.G. SEWLIKAR, J.]

[R. D. DHANUKA, J.]