

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10299 OF 2022

Balshiram Valhu Waje

.. Petitioner

Vs.

State of Maharashtra and Anr.

.. Respondents

Ms. Aditi S. Naikare for the Petitioner.

Mr. N.K. Rajpurohit, AGP for the Respondents-State Authorities.

**CORAM : PRASANNA B. VARALE &
KISHORE C. SANT, JJ.**

DATE : 29TH AUGUST, 2022.

P.C. :

1. Heard learned counsel for the petitioner.
2. Considering the prayers in the petition, i.e. prayer clause (a), whereby the petitioner prayed for a direction to the respondents to hear and decide the application of the petitioner dated 2nd May 2013 expeditiously and in a time bound manner and vide prayer clause (b), the petitioner prayed for a similar direction to the respondents, we deem it appropriate to immediately take up the petition for hearing and final disposal with certain directions to the respondents.

3. The learned counsel for the petitioner has invited our attention to the documents placed on record in support of her submission that the land of the

father of the petitioner – Valhu Mahadev Waje was acquired for Chaskaman Irrigation Project. The father of the petitioner – Valhu Waje expired on 22nd May 2002. The petitioner, on demise of his father, submitted an application to respondent no.2–District Resettlement Officer for allotment of land. His first application is placed on record at Exhibit-D (page 18). It seems that, subsequently, the petitioner filed the proforma application along with the affidavit on 2nd May 2013. Copy of the said application is placed on record at Exhibit-E (page 19). On receipt of the said application, the respondent no.2–authority responded the petitioner by a communication dated 7th January 2014. Some deficiencies were pointed out in the said communication / notice dated 7th January 2014. There are as many as 10 deficiencies. Though it is submitted by learned counsel for the petitioner that all the deficiencies are removed and necessary documents are placed on record before the respondent no.2–authority, perusal of the material placed on record shows that certain documents are submitted to the respondent no.2–authority in piecemeal manner. There is no composite statement or an application so as to arrive at a conclusion that all the deficiencies are removed.

4. At this stage, learned counsel for the petitioner submitted before this court that the petitioner be permitted to submit a composite application to respondent 2 – authority along with a statement showing that all the deficiencies are complied along with the necessary documents in support of the application and the statement. The counsel for the petitioner submits that

such a composite application would be submitted to respondent no.2-authority within four weeks from today. The counsel for the petitioner further submits that, on submission of the composite application, respondent no.2-authority be directed to decide the application of the petitioner in a time bound manner.

5. Considering the fact that a request for allotment of land to the project affected person is made way back in the year 2013 and there are certain technical errors in the form of deficiencies and considering the statement that the petitioner would submit along with composite application within stipulated period, the following directions are being passed.

- (i) Petitioner is permitted to submit composite application, along with a statement showing that all the deficiencies are complied, annexing therewith copies of the necessary documents in support of the application and the statement, with the respondent no.2-District Resettlement Officer within a period of four weeks from today.
- (ii) On receipt of the application within the stipulated period of four weeks, respondent no.2-District Resettlement Officer to decide the application of the petitioner within a period of eight weeks therefrom.

- (iii) The entire exercise, as aforesaid, be completed within twelve weeks from today.
- (iv) Petition is accordingly disposed of with the above directions.
- (v) Parties to act on the authenticated copy of this order.

[KISHORE C. SANT, J.]

[PRASANNA B. VARALE, J.]