

**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 the Petitioner.

Mr. Rajan S. Pawar AGP for Respondent Nos. 1 to 7-State.

**CORAM: R. D. DHANUKA AND
M.M.SATHAYE JJ.**

DATE : 8th DECEMBER 2022

PC. :-

1. By this petition filed under Article 226 of the Constitution of India, the petitioner has prayed for writ of mandamus for holding and declaring that petitioner is entitled for a residential plot and alternate land from the benefited zone of Mahind Pond (Talav) project. The petitioner has also prayed for a writ of mandamus against respondents to issue notice under section 16(2)(a) of the Maharashtra Project Affected Persons Rehabilitation Act, 1999.

2. It is an admitted position that land of the petitioner had been acquired by the State Government since the same were

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submerged under the Mahind Pond (Talav) project in the year 1996-99. The Special Land Acquisition Officer issued notice under Section 4(1) of the Land Acquisition Act and after following procedure, acquired the land. After making an Award, the Special Acquisition Officer issued notice under Section 12(2) of the Land Acquisition Act, 1894 to the petitioner for receiving payment of compensation, sometime in the year 2000. The Petitioner admittedly did not apply under Section 16(1) of the Maharashtra Project Affected Persons Rehabilitation Act, 1999. Entire compensation is already received by the petitioner on 26th July 1988. Petitioner made a representation for allotment of land after more than 22 years, in the year 2022. Said representation is already rejected by Collector on 14th September 2022.

3. For the reasons recorded aforesaid and in order passed in Writ Petition No. 10346 of 2022, this Writ Petition is also rejected. No order as to costs.

[M.M.SATHAYE,J.]

[R. D. DHANUKA, J.]