

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

WRIT PETITION NO.14798 OF 2022

Baban Sakharam Walunj(through
legal heir Anand Baban Walunj ... Petitioner

Versus

The Collector of Pune and Ors. ... Respondents

Mr.S.A. Sawant a/w Mr. A.P. Deshmukh, Mr. Digvijay Palande
for the Petitioner.

Ms. M.S. Bane AGP for the Respondent-State.

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

DATE : 2nd DECEMBER 2022

PC. :-

1. Heard learned Counsel for Petitioner and learned AGP for the State.

2. The Petitioner seeks an order and directions against Respondent Nos. 2 and 3 to forthwith allot the land bearing Gat No. 1160/2 admeasuring 39 Aar, Gat No. 293 admeasuring 20 Aar and Gat No. 124 admeasuring 20 Aar of village Sanaswadi, Taluka Shirur, District Pune under the provisions of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 and under the Maharashtra Resettlement of Project Displaced Persons Act, 1976.

3. Mr. Sawant, learned counsel for the Petitioner invited our attention to various documents annexed to the Petition in support of his contention that the eligibility of the Petitioner to get alternate land under the provisions of the aforesaid Acts is not disputed. The Respondents have not allotted any alternate land to the Petitioner till date even after more than a decade.

4. We accordingly direct the Respondents to decide the entitlement of the Petitioner for alternate land and if the Petitioner is found eligible, said land shall be allotted within eight weeks from today, without fail.

5. It is made clear that if the order is not complied with by the Respondents, this Court will initiate an action under the provisions of the Contempt of Courts Act, 1971, against the responsible officers of the Respondents. The Respondents shall consider the plots identified by the Petitioner in prayer clause (a) of the petition while passing an order of allotment of alternate land in favour of the Petitioner subject to availability and eligibility.

6. The Writ Petition is disposed of. No order as to the costs.

[M.M.SATHAYE,J.]

[R. D. DHANUKA, J.]