

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

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**INTERIM APPLICATION NO.19795 OF 2022
WITH
WRIT PETITION NO.4037 OF 2021**

Sanjay Ashok Handore & Anr.

.. Applicants

In the matter between

Hitesh Finance and Developers Pvt. Ltd.

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

Mr.Sachin S. Punde for the applicants.

Ms.Rajlaxmi Punjabi i/by Mr.Anil Ahuja for the petitioners.

Mrs.M.S.Bane, AGP for the respondents-State.

Mr.Sarfaraj J. Shaikh h/f Ms.Chaitrali A. Deshmukh for the respondent
nos.4 to 6.

**CORAM : R.D. DHANUKA &
S.G. DIGE, JJ.**

DATE : 25th November 2022

P.C.:-

1. By this interim application, the applicants who claimed to be residents of Village Vihitgaon, Taluka Nashik seeks intervention in Writ Petition No.4307 of 2021 on the ground that the petitioner shall not be allowed to pray for compensation of the land situated in the same village in which the applicants are displaced.

2. We have perused the prayer clauses (a) and (b) of the petition by which the petitioner seeks a writ of mandamus against the respondent nos.4 to 6 to place the required funds towards the estimated compensation

amount of the acquired land with the office of the respondent nos.2 and 3 and to issue declaration of acquisition as per the provisions of Section 19 of the Right to Fair Compensation Act, 2013 read with Section 126 of the MRTP Act, 1966 in the pending LAQ Case bearing No.8/2016.

3. Whether the land would be acquired or not should be decided by the acquiring body and the Collector while following the procedure under the provisions of the Right to Fair Compensation Act, 2013. The applicants are neither a necessary nor proper parties to the petition. If the applicants desire to raise any objection when the final notice is issued, the applicants are entitled to raise such objections.

4. The interim application is misconceived and is accordingly rejected.

5. Place the writ petition on board for 'Admission' on 5th December 2022.

S.G. DIGE, J.

R.D. DHANUKA, J.