

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1911 OF 2019

Shyam Pusaram Mahakalkar

...VERSUS...

The Collector, Nagpur and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri. Pradeep S. Kshirsagar

Ms. N.P.Mehta, A.G.P. for Respondent nos. 1 and 2.

Shri. N.A. Waghmare, Advocate h/f. Shri P.B.Patil, Advocate for
Respondent no. 3.

CORAM : SUNIL B. SHUKRE AND
SMT. M. S. JAWALKAR, JJ.

DATE : 21st APRIL, 2022.

Heard.

2. From the reply filed on behalf of respondent no.3, it becomes clear that after the petitioner has approached respondent no.3 giving his consent for acquiring his land by private negotiation, the process of acquisition of the petitioner's land by private negotiation has been initiated and it is presently under way. If this is the case, we are of the view that now the purpose of the petitioner has been subsequently served by initiation of process for acquisition of the petitioner's land by private negotiation.

3. The learned counsel appearing for the petitioner submits that there is a doubt about grant of rental compensation by the respondent and therefore, he further submits that this issue be kept open for agitation afresh by the petitioner, in case it is not decided in favour of the petitioner.

4. In view of the above, the petition is disposed of while keeping open the issues as regard the claim of the petitioner to receive the rental compensation and claim of the petitioner in respect of adequacy of the amount of compensation, if any.

5. We direct the respondents to complete the process of acquisition of the petitioner's land by private negotiation within a period of three months from the date of receipt of copy of the order in which the petitioner shall run peaceful co-operation.

6. The petition is disposed of in the above terms. No costs.

(Smt. M.S. Jawalkar, J.)

(Sunil B. Shukre, J.)