

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

WRIT PETITION NO. 3610/2021

(RAJU NARAYAN LAMBHADE **VERSUS** THE DEPUTY COLLECTOR, LAND ACQUISITION (GENERAL) & COMPETENT AUTHORITY FOR ACQUISITION OF LANDS FOR NATIONAL HIGHWAYS, NAGPUR & OTHERS)

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

Court's or Judge's order

Shri S.S. Sitani, counsel for the petitioner.
Shri A.S. Fulzele, Additional Government Pleader for the R-1.
Shri S.A. Chaudhari, counsel for the R-2 & 3.
Ms N.I. Ghode, counsel for the R-4 & 5.

CORAM : A. S. CHANDURKAR AND M.W. CHANDWANI, JJ.

DATE : OCTOBER 19, 2022.

Heard.

The petitioner claims to be the lawful owner of the field bearing Khasra No.123/1 admeasuring 1 Hectare 94 R situated at Mouza Awandi, Tahsil Kamptee, District Nagpur. According to the petitioner, portion of the aforesaid land to the extent of 0.06 R was sought to be acquired by the respondent no.3 without paying compensation to the petitioner. The petitioner has therefore filed this writ petition praying that the respondents be directed to pass an award and pay compensation to the petitioner.

On 22.08.2022, an interim direction was issued by which the Deputy Superintendent of Land Records was directed to undertake joint measurement of the land that was sought to be acquired. Accordingly such joint measurement was undertaken on 07.10.2022 and in the said report it has been stated that the land sought to be acquired admeasures 0.04 R.

The learned counsel for the respondent no.3 on instructions submits that the proposal for acquiring the aforesaid land would be accordingly moved and thereafter the respondent no.1 would be free to initiate such proceedings of acquisition.

In view of aforesaid, the respondent nos.2 and 3 are directed to take necessary steps by forwarding the requisite proposal to the respondent no.1 for passing of the award in question. Necessary steps be taken by the respondent nos.2 and 3 within a period of four months from today.

All questions with regard to entitlement as well as quantum of compensation are kept open.

The writ petition is disposed of in aforesaid terms. No costs.

(M.W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)

APTE