

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

WRIT PETITION NO. 2740/2021

(SHARDADEVI GANESHPRASAD JAISWAL & ANR **VERSUS** THE STATE OF MAHARASHTRA & ORS)

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

Court's or Judge's order

Shri N.S. Warulkar, counsel for the petitioners.
Shri D.P. Thakare, Additional Government Pleader for the R-1.
Shri J.B. Kasat, counsel for the R-2 & 4.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : JUNE 22, 2022.

The petitioners seek a mandamus to be issued against the respondent no.3 that they should complete the acquisition proceedings of the petitioners' land admeasuring 2525 Square Meters from Survey No.4/1 of Mouza Wadali.

It is the case of the petitioners that possession of the aforesaid land has been taken and it is being used for a service road.

In the reply filed by the respondent nos.2 and 3, it has been specifically denied that possession of the aforesaid land has been taken. It has been stated that the said land comes under the service road and it is being used as an approach road with regard to Plot Nos.15 to 19.

We find that disputed questions with regard to taking over possession of land admeasuring 2525 Square Meters are sought to be adjudicated. We permit the petitioners in these circumstances to make a representation to the respondent no.2-Commissioner by annexing all relevant documents to justify their demand for grant of compensation. If such representation is made within a period of three weeks from today, the Commissioner of the Amravati Municipal Corporation shall consider the same in accordance with law and take a decision thereon within a period of four weeks from receipt of such representation. The petitioners can be granted an audience if desired and the decision taken shall be communicated to the petitioners.

With these directions, the writ petition is disposed of. No costs.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

APTE

Signed By: Digitally signed
by ROHIT DATTATRAYA
APTE
Signing Date: 23.06.2022 14:43