

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

WRIT PETITION NO.2925 OF 2021

Sachin S/o Anand Mukewar, Jaiprakash Nagar, Somalwada, Nagpur

-vs-

The Collector, Nagpur District Nagpur and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms Vaishali Khadekar, Advocate for petitioner.

Shri N. R. Patil, Assistant Government Pleader for respondent Nos.1, 2
and 5.

Shri D. M. Kakani, Advocate for respondent Nos.3 and 4.

CORAM : A. S. CHANDURKAR AND SMT M. S. JAWALKAR, JJ.

DATE : March 28, 2022

Heard.

The petitioner has approached this Court seeking a direction to be issued to the respondent Nos.1 and 2 to decide Land Acquisition Case No.34/A-65/2019-20 and release the amount of compensation accordingly.

After notice was issued in the writ petition, replies have been filed by the respondents. In the affidavit filed by respondent Nos.1 and 2 a reference is made to a communication dated 14/01/2022 issued by the respondent No.2 to the respondent No.3 stating therein that the value of the land from Suvey No.48/2 admesuring 0.21R on which the respondent No.3 has constructed its Pump House was valued at Rs.99,79,984/-. In the subsequent affidavit filed by the said respondents reference was made to an order passed by the

Tahsildar, Hingna dated 03/07/2019 by which nature of that land was converted from Agricultural to unauthorised Non-Agricultural. Today the learned counsel for the respondent No.3 has placed on record the order dated 17/03/2022 that has been passed by the Tahsildar, Tal. Hingna in which it has been stated that the earlier order dated 06/07/2019 stands cancelled and the value of the land in question is thus determined to Rs.99,79,984/-. The said order is taken on record and marked 'A' for identification.

In view of aforesaid since the value of the land which is in possession of respondent No.3 has been determined as aforesaid, the respondent No.5 is directed to release the amount of Rs.99,79,984/- in favour of respondent No.3 within period of four weeks from today. The respondent No.3 thereafter shall release the aforesaid amount in favour of the petitioner within further period of two weeks from that date. It is clarified that if the petitioner is not satisfied with the amount of compensation as determined, he is free to take such steps as are permissible in law for enhancement in the amount of compensation.

The writ petition is disposed of in aforesaid terms with no order as to costs.

(Smt M. S. Jawalkar, J.)

(A. S. Chandurkar, J.)