

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

917 WRIT PETITION NO.7346 OF 2023

SHANKAR BAPU BHALERAO
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.S.S.Jadhavar, Advocate for the Petitioner.
Mr.V.M.Kagne, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : JULY 11, 2023

PER COURT :

1. Leave to correct the name of the Petitioner. Correction to be carried out forthwith.
2. According to the Petitioner, land admeasuring 2 hectares 2 R from Gat No.55 of Village Chombhut, Tal.Parner, Dist. Ahmednagar was acquired for rehabilitation of Project Affected Persons, in 1986. The due procedure laid down by Law was not followed. There was no acquisition proceeding and hence there was no award. It is submitted that after 34 years, when the Petitioner visited his native place in the

Covid-19 pandemic, he came to know that the land was utilized by the Government.

3. There are several disputed issues and more specifically, the issue as to whether the Petitioner can be said to be oblivious of his land having been acquired by the Government, 34 years ago.

4. The Petitioner's representations addressed to the District Collector, Ahmednagar are dated 16.01.2023 and 03.03.2023. They are yet to evoke any response from Respondent No.1.

5. In view of the above, **this petition is disposed off** with the following directions :-

[a] Respondent No.2 shall dig into it's records in the light of the representations of the Petitioner dated 16.01.2023 and 03.03.2023 and inquire as regards the claim of the Petitioner. If needed, the assistance of the Petitioner may be sought.

[b] In the event, the Petitioner's representation is factually correct and there has been no acquisition and no award delivered, the competent authority will then have to initiate steps in the light of The

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

[c] Let this exercise be completed within a period of 90 days.

[d] Let there be no request for extension of time.

[e] In the event, the Petitioner's claim as set out in the revision is found to be factually incorrect, a written reply be issued to the Petitioner with promptitude.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)