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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

928 WRIT PETITION NO.6520 OF 2023

**PANCHFULABAI ABHIMAN PRADHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

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Mr V. D. Bhise, Advocate h/f Mr A. H. Koralkar, Advocate for
Petitioners;
Mr A. V. Deshmukh, A.G.P. for Respondent Nos.1 to 4

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRADE, JJ.**

DATE : 22nd August, 2023

PER COURT:

1. The Petitioners desire that, their application under Section 28-A of the Land Acquisition Act, 1894 to the District Collector, Jalna, should be decided. Copy of the said application is placed on record at page 20 (on-wards) of the petition paper book. The inward-outward register stamp indicates that, the Sub-Divisional Officer, Ambad received the said application on 04/06/2014. The Sub-Divisional Officer, Ambad has issued a communication on 06/06/2022 that, his office does not have the record and the same is not traceable.

(2)

2. The issue was with regard to the construction of the percolation tank at Palaskheda, CR No.124/2001, Taluka and Dist. Jalna and was decided by the L.A.R. Court on 04/03/2014. The application of the Petitioners is received on the last day of the limitation of three months.

3. We, therefore, direct the District Collector, Jalna to initiate an inquiry to trace out the application, which is received by the Sub-Divisional Officer, Ambad on 04/06/2014. This exercise would be completed within 90 days and the report would be tendered to this Court within 15 days, thereafter.

4. If the application of Petitioners is traced out, it will be forwarded immediately to the competent authority to be dealt with under Section 28-A of the Land Acquisition Act, 1894 and appropriate orders would be passed. In such situation, the impugned order, which is purely a communication dated 06/06/2022, would not come in way of the Petitioners.

5. With the above directions, **this petition is disposed off.**

(Y. G. KHOBRADE, J.)
sjk

(RAVINDRA V. GHUGE, J.)