

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

956 WRIT PETITION NO.10356 OF 2015

**ACHYUT VANKATEE HOLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Kedar Balbhim R.
AGP for Respondents/State: Mr. S. B. Yawalkar
Advocate for Respondent No.5: Mr. B. N. Patil
...

**CORAM : NITIN W. SAMBRE &
S. G. CHAPALGAONKAR, JJ.**

DATE : 30.03.2023

PER COURT :

1. The case of the petitioner is that pursuant to Section 4 notification issued in 1999/2000, land to the extent of 3 Hectare 70 R out of Survey No.58/1 was acquired.
2. It is claimed that the respondents particularly respondent nos.5 & 6, who were the public officers, involved in the aforesaid acquisition proceedings, tried to blackmail the petitioner by making certain offers for releasing the unaccounted amount of compensation, have adopted arm twisting method as the petitioner has not acceded to such request/offers.
3. As a sequel of above, the petitioner was put to lose, thereby not only reducing the number of trees which were acquired but also inadequate compensation was paid. According to the petitioner, the respondent nos.5 & 6 have practiced fraud in the matter and have shown to an acquire land

which was purchased by respondent no.6 just before such acquisition proceedings and has received compensation to which he was legally not entitled to. As such, this petition is seeking inquiry in the aforesaid episode.

4. We have appreciated the submissions of Mr. Kedar, learned counsel appearing for the petitioner, in the backdrop of the fact that acquisition is of the year 2000.

5. It is after a period of almost 14 years. By preferring this petition, the petitioner has come before this Court alleging fraud being practiced by respondent Nos.5 & 6 in the matter of acquisition.

6. Considering the delay and laches and the law laid down by Apex Court in the matter of **State of Maharashtra Vs. Digamber** reported in **AIR (1995) SCC 1991**, we refrain ourselves from causing any interference in writ jurisdiction. The petition as such stands dismissed.

(S. G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE, J.)

Sameer