

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

WRIT PETITION NO.14797 OF 2023

**MAHADEO DNYANOBA KUNDKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

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Mr. S. S. Randive, Advocate for Petitioners
Mr. P. S. Patil, AGP for Respondent – State

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

DATE : 06.12.2023

PER COURT :-

1. The Petitioners have put forth prayer clauses (B) and (C) as under:-

“(B) By issuing the writ of mandamus or any other appropriate writ or directions the respondent authorities may kindly be directed to acquire the affected lands of the petitioners for the said project as those lands have been submerged in the back waters of the said project.

(C) By issuing the writ of mandamus or any other appropriate writ or directions the respondent authorities may kindly be directed to pay the petitioners compensation for the huge loss caused to them due to water in their standing crops.”

2. The learned Advocate for the Petitioner submits that, the rainfall this year, has been minimal and there is drought like situation. Yet his agricultural land is submerged. There are 57 farmers in this Petition.

3. Considering the above, we direct Respondent No.6 to carry out verification in each farm of the Petitioners and submit a report to the District Collector within a period of 60 days from today. The report should specifically state as to what is the situation of these agricultural fields belonging to the petitioners and whether they are submerged on account of the backwaters of Roshampuri Dam at Majalgaon. If the report indicates that despite deficit rainfall, the lands of the Petitioners are still submerged, the District Collector would initiate appropriate steps by following the due procedure laid down in law.

4. With the above directions, **this Writ Petition is disposed off.**

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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