

PVR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4053 OF 2023

Mr. Uttam Sukaraya Patil

..Petitioner

Vs.

Deputy Collector (Rehabilitation) Thane and

Administrator (Rehabilitation & Resettlement) & Anr.

..Respondents

Mr. B. S. Nayak with Ms. Smita Solwat for Petitioner.

Ms. Shruti Vyas, 'B' Panel Counsel for State.

CORAM : G. S. KULKARNI &
JITENDRA JAIN, JJ.

DATE : JUNE 28, 2023

P.C.:

1. Heard Mr.Nayak, learned Counsel for the petitioner. The only prayer as made in the petition reads thus:

(A) That this Hon'ble Court may be pleased to call for the records and proceedings and after going through the same be further pleased to enhance the compensation awarded by the respondent No.1 at Rs.88,32,550.00/- (Eighty-Eight Lakhs Thirty Two Thousand Five Hundred Fifty) to Rs.1,16,42,097.5/- (One Crore Sixteen Lakhs Forty Two Thousand Ninety Seven) with interest at the rate of 12 percent p.a. from due date till realization in the interest of justice within a period of 8 weeks."

2. Admittedly, the petitioner was an encroacher on the Government land and under the beneficial policies which the State of Maharashtra as

issued, the petitioner despite being an encroacher became entitled to a compensation of an amount of Rs.88,32,550/-. The petitioner however is not satisfied with this amount, and has prayed for enhancement of compensation to Rs.1,16,42,097.5/- on the encroachment construction.

3. We are not inclined to entertain such petition. The Writ Court cannot entertain such plea as raised by the petitioner and more so arising from a land acquisition award and for enhancement.

4. The petition is accordingly dismissed. No costs.

[JITENDRA JAIN, J.]

[G. S. KULKARNI, J.]