

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10574 OF 2023

ATUL
GANESH
KULKARNI

Digitally signed by
ATUL GANESH
KULKARNI
Date: 2023.08.30
14:33:11 +0530

Percival Joseph Periera

... Petitioner

V/s.

Special Land Acquisition Officer,
Metro Centre, Panvel & Anr.

... Respondents

Mr. Shriram S. Kulkarni for the petitioner.

Mr. C.D. Mali, AGP for the State.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 30, 2023

PC.:

1. By the impugned order, the learned Trial Court partly allowed petitioner's application for production of documents. However, the Court fixed the matter for judgment.

2. According to the petitioner, the documents produced below Exhibit 69 being certified copies of judgments are required to be read in evidence and he be given opportunity to make submissions in the context of said documents.

3. Considering nature of proceedings, i.e., reference for enhancement of compensation, the petitioner whose property is acquired is entitled to get fair opportunity of hearing, including opportunity to produce relevant documents.

4. The documents produced along with application below Exhibit 69 being certified copies of judgments in other land acquisition proceedings, the documents needs to be read in evidence. Hence, following order:

a) The documents annexed along with list dated 15 April 2023 below Exhibit 69 be read in evidence;

b) The Trial Court shall hear final arguments of petitioner including on the documents produced below Exhibit 69 and thereafter shall deliver the judgment as expeditiously as possible.

5. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)