

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

WRIT PETITION NO. 15080 OF 2022

Late Vitthal Laxman Bhawar
Through LR's
Vandana Rajendra Kasare

..Petitioner

V/s.

State of Maharashtra & Ors.

..Respondents

Mr. Sumit V.Khaire for the Petitioner.
Mrs.M.S.Bane AGP for State/ Respondent No.1 to 3 .

**CORAM : R.D.DHANUKA, AND
GAURI GODSE, JJ.**

DATE : 13 MARCH 2023

P.C.

. Rule. Learned AGP Mrs.Bane for Respondent-State
waives service. Rule is made returnable forthwith.

2. By this petition, under Article 226 of Constitution of India the Petitioner is seeking direction for deciding the application dated 07/10/2022 filed by the Petitioner for allotment of land on the ground that Petitioner is eligible under the Maharashtra Rehabilitation of Project Affected Persons Act. The application for allotment of plot is dated 07/10/2022. By an order dated 02/03/2023, the learned AGP

was granted time to take instructions as to whether the application filed by the Petitioner is decided and if not, as to the when the said application will be decided.

3. Learned counsel on instructions states that the application filed by the Petitioner is not yet decided and same will be decided within a period of four weeks from today.

4. In view of the statement made by the learned AGP the application dated 07/10/2022 filed by the Petitioner should be decided within a period of four weeks from today. If on decision of the said application the Petitioner is found eligible for allotment of plot, procedure for allotment of plot as well as handing over of the said plot be completed within a period of eight weeks thereafter, subject to compliance and conditions of allotment. In the event, if the decision on the application is adverse to the Petitioner, it would be open to the Petitioner to adopt proper legal remedy permissible in law.

5. Learned counsel for the Petitioner invited our attention to Page 29 of the petition and submitted that father of the Petitioner was already allotted the plot of the land and thus there is no issue of eligibility pending. It is submitted that the

Petitioner is eligible as a legal heir of the original allottee. This issue also would be decided by the Respondents. Hence, following order is passed:

ORDER

1. Writ Petition is disposed of in aforesaid terms.
2. Rule is made absolute.
3. No order as to costs. Parties to act on the authenticated copy of this order.

GAURI GODSE, J.

R.D.DHANUKA, J.