

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3013 OF 2023

Gajanan Ganpat Gurav (Gaikwad)

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

Mr. Sachin H. Deokar for the petitioner.

Ms. S.S. Bhende, AGP for the State.

CORAM: G. S. KULKARNI &
JITENDRA JAIN, JJ.
DATED: 5 July, 2023

P.C.

1. This petition is filed praying for the following reliefs:-

“a) rule be issued, record and proceedings be called for;

b) by an appropriate writ, order or direction, this Hon’ble Court be pleased to direct the respondents to forthwith allot the land bearing Gat no. 631, admeasuring 80 Acres, situated at Shikrapur, Taluka Shirur, District Pune under the provisions of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 and the Maharashtra Resettlement of Project Displaced Persons Act, 1976.

c) by an appropriate Writ, Order or direction, this Hon’ble Court be pleased to direct the respondent to decide the application made by the petitioner, as expeditiously as possible and not later than eight weeks from the date of the order passed by this Hon’ble Court.

d) pending the hearing and final disposal of the present writ petition, this Hon’ble Court be pleased to direct the respondent to allot the land bearing Gat No. 631, admeasuring 80 Ares, situated at Shikrapur, Taluka Shirur, District Pune under the provisions of the Maharashtra Project Affected Persons Rehabilitation Act, 1999 and the Maharashtra Resettlement of Project Displaced Persons Act, 1976;

e) pending the hearing and final disposal of the present writ petition, this Hon’ble Court be pleased to direct the respondents to decide the application made by the petitioner;

f) pending the hearing and final disposal of the present writ petition, this Hon'ble Court be pleased to restrain the respondents from allotting the land bearing Gat No. 631, admeasuring 80 Ares, situated at Shikrapur, Taluka Shirur, District Pune to any other project affected persons.

2. Ms. Bhende, learned AGP for the State very fairly states that the petitioner can appear before the District Re-settlement Officer, Pune with all the documents, so that the petitioner can be heard by the said authority and submit his report to the Additional Collector, Pune, to enable the Additional Collector, Pune, to take an appropriate decision.

3. We accordingly dispose of the petition by the following order:-

ORDER

- i. The petitioner to appear before the District Re-settlement Officer, Pune on 19 July, 2023 along with a copy of this order.
- ii. The District Re-settlement Officer shall hear the petitioner and make his report within a period of two weeks from the date of hearing and in any event within a period of four weeks from 19 July, 2023 to the Additional Collector, Pune.
- iii. The Additional Collector, Pune shall consider the report as forwarded by the District Re-settlement Officer and take appropriate decision in any event on or before 15 August, 2023.

- iv. It is clarified that there shall not be any further extension of time as ordered by us.
- v. All contentions of the parties are expressly kept open.
- vi. Disposed of in the above terms. No costs.
- vii. Parties to act on an authenticated copy of this order.

(JITENDRA JAIN, J.)

(G. S. KULKARNI, J.)