



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.5481/2019

1. ~~Ramesh Gangaram Wankhede,~~ ..(dead)
~~aged about 69 Yrs., Occ. Cultivation,~~
~~R/o Jetpura Ward No.2, Chandrapur,~~
~~Tah. & Dist. Chandrapur.~~

L.Rs. of Petitioner No.1.

- 1a. Smt. Meenabai Ramesh Wankhede,
age 64 Yrs., Occ. Household.
- 1b. Nilesh Ramesh Wankhede,
age 47 Yrs., Occ. Business.
- 1c. Jyoti Prashant Pawar,
age 45 Yrs., Occ. Household.
- 1d. Ritesh Ramesh Wankhede,
age 43 Yrs., Occ. Business.
- 1e. Ashwini Ramesh Wankhede,
age 41 Yrs., Occ. Household.
- 1f. Manisha Pravin Bankar, deceased
through legal heir Pratham Pravin
Bankar, age 20 Yrs., Occ. Student.

All R/o Near Chandak Medical,
Jatpura Ward, Chandrapur.

2. Pankaj Ashok Wankhede,
aged about 32 Yrs., Occ. Cultivation,
R/o Jatpura Ward No.2, Chandrapur,
Tah. & Dist. Chandrapur.

3. Smt. Shila Ashok Wankhede,
aged about 52 Yrs., Occ. Household,
R/o Jatpura Ward No.2, Chandrapur,
Tah. & Dist. Chandrapur. ... Petitioners

- Versus -

1. State of Maharashtra,
through its Secretary, Department
of Urban Land Development,
Mantralaya, Mumbai 440 032.
2. The Collector, Chandrapur,
Dist. Chandrapur.
3. Town Planning Officer,
Regional Town Planning Department,
Administrative Building, Opp. S.T.
Stand, Chandrapur, Dist. Chandrapur.
4. Chandrapur City Municipal Corporation,
through its Commissioner, Chandrapur,
Dist. Chandrapur. ... Respondents

Mr. G.K. Mundhada, Counsel for the Petitioners.

Mr. S.S. Jachak, Assistant Government Pleader for Respondent
Nos.1 to 3.

Mr. P.S. Chawhan, Counsel for Respondent No.4.

CORAM: A.S. CHANDURKAR & MRS. VRUSHALI V. JOSHI, JJ.

DATE : 12.9.2023

ORAL JUDGMENT (Per A.S. Chandurkar, J.)

Heard. **Rule.** Rule made returnable forthwith.

Heard finally by consent of learned counsel for the parties.

2. The petitioners claim interest in the land bearing Survey Nos.57/2 and 57/5 at Mouja Govindpur Rith falling within the Municipal Corporation, Chandrapur. Land to the extent of 0.30 R stands reserved for constructing 18 Mtrs. Development Plan Road as per the Draft Development Plan dated 19.8.1988. Since no steps for acquiring the said land were being taken by the Municipal Corporation the present proceedings have been initiated with a prayer to grant compensation to the petitioners for the land affected by the construction of the Development Plan Road.

3. After notice was issued in the writ petition reply has been filed by the respondent No.4 stating therein that the Municipal Corporation is in the process of acquiring the aforesaid land in accordance with law.

4. The learned counsel for the petitioners has invited our attention to the order dated 24.2.2021 passed in Writ Petition No.1289/2019 (Rajkumar Nandalal Kabra and others V/s. The

State of Maharashtra and others) wherein in somewhat similar facts time of six months was granted to disburse the compensation.

5. Since the Municipal Corporation has undertaken to acquire the petitioners land a similar direction can be issued.

6. The writ petition is accordingly disposed of by directing the Municipal Corporation to disburse the amount of compensation payable to the petitioners for acquiring the land admeasuring 0.30 R within a period of six months from today.

7. Rule is disposed of in the aforesaid terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S. CHANDURKAR, J.)