

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

WRIT PETITION NO. 5977 OF 2021

Aganagar Co-operative Housing Society Ltd. & Anr. Petitioners

Vs

The Pune Municipal Corporation, Pune & Ors. Respondents

Mr. Nitin P. Deshpande for the Petitioners.

Mr. Rajdeep S. Khadapkar, for the Respondent Nos. 1 to 3.

Ms Nisha Mehra, AGP for the Respondent nos. 4 to 6-State.

**CORAM : NITIN JAMDAR &
M. M. SATHAYE, JJ.**

DATED : 16 APRIL 2024

P.C.:

1. The Petitioner is before us making a grievance that in spite of the fact that the subject land was taken for road widening, compensation is not paid. No dispute is raised before us that the land does not belong to the Petitioner. Second, it is not disputed that the possession is taken over for the purpose of road widening. Third, it is not disputed that the compensation is not paid.

2. In these circumstances, the only directions that need to be given is to set a time limit within which the formality regarding payment of compensation will have to be completed. Learned Counsel for the Municipal Corporation submitted that co-operation from the Petitioner

is required and also directions to the Respondent No. 5-Deputy Collector, Land Acquisition, Pune.

3. Both the Municipal Corporation and the Deputy Collector are public bodies/State instrumentalities. It is for them to coordinate to complete the formality regarding the disbursal of the compensation amount.

4. Accordingly, we direct the Municipal Corporation and State Authority to finalize the amount of compensation payable to the Petitioner by 30 September 2024. As to what the quantum of the compensation should be, it is left to the authority to consider. We also make it clear that we have proceeded on the basis of position admitted before us regarding the ownership of the Petitioner and if there are any rival claims, we have not commented on the same.

5. Learned Counsel for the Petitioner states that the Petitioner will co-operate with the Municipal Corporation and the State Authorities for above purpose.

6. The Writ Petition is disposed of accordingly.

(M. M. SATHAYE, J.)

(NITIN JAMDAR, J.)