



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 3583 OF 2022

ulabrao Ganeshrao Deshmukh Vs. the Sub Divisional Officer/Land Acquisition Office, District
Buldhana and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R.N. Ghuge, Advocate for petitioner.
Ms. N.P. Mehta, Additional Government Pleader for respondent No. 1.
Mr. A.M. Kukday, Advocate for respondent No. 2.

**CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.**

DATED : 22-08-2024

In compliance with the order dated 16.7.2024, Mr. S.A. Dalvi, Sub-Divisional Officer is present in the Court. We have heard Mr. Dalvi through learned Assistant Government Pleader.

2. It appears that the decision which led to passing of impugned order is based on the incorrect legal advice. We could justify our view for quashing the impugned order based on the observations made in paragraph Nos. 2 to 5 by the Hon'ble Apex Court in the matter of **Lakhan Lal and another Vs. G.M. (R&R), Narmada Hydroelectric and Others [(2018)13 SCC 212.**

3. In this background, the order impugned is not sustainable and as such, same is quashed and set aside.

4. We further direct that the amount be released in favour of the petitioner within a period of eight weeks from today.

5. The petition is allowed accordingly.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Belkhede