

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2422 OF 2023

Laxmi Narayan Mote
Since deceased Thr. L.Rs.

...Petitioner.

Versus

The State of Maharashtra and Others.

...Respondents.

*Mr. Shantanu Gurav and Dnyaneshwari S. Utpat i/b Sarang Aradhye for the
Petitioner.*

Mr. S. B. Kalel, AGP for the Respondent-State.

**Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.**

Date : December 15, 2025.

P. C. :

1. Heard learned Counsel for the Petitioner.
2. By this petition, the Petitioner prays for various reliefs. It is the contention of Petitioner that he is the purchaser and owner of subject property being Plot No.16 forming part and parcel of Field Gat No. 76/1-A of village Kasegaon, Taluka Pandharpur, district Solapur and he is in possession of said property. Award came to be passed on 21st May 1977 by the Land Acquisition Officer. However, so far as Petitioner's property is concerned, neither the possession has been taken nor the compensation has been paid to the Petitioner as per provisions of Section 16 of the Land Acquisition Act, 1894. So far as construction of

the canal is concerned, it is constructed only upto 4 kilometers and till today, Petitioner's land has not been used for any purpose neither it can be used, in view of various reports of the concerned authorities, copies of which are at page Nos. 85 to 88 of petition. The reports indicate that since there are development activities in the area, the Respondents have taken a stand that it is not possible to carry on with the work of canal beyond a stretch of 4 kilometers.

3. Learned Counsel for the Petitioner submitted that a detailed representation is made by the Petitioner also by sending advocate's notice dated 25th May 2017. Another representation dated 7th November 2019 is made by the Petitioner to the Executive Engineer, Ujjani Canal Division 9, Mangalweda for appropriate action. However, there is no response to such representations.

4. We, therefore, call upon the Executive Engineer, Ujjani Canal Division 9, Mangalveda, District Solapur to decide the aforesaid representation made by the Petitioner as expeditiously as possible and in any case within a period of 12 weeks from the date of communication of this order and inform the Petitioner accordingly.

5. It is open for the Petitioner to approach the concerned authorities for redressal of the grievance raised in this petition. If in line of advocate's notice dated 25th May 2017, a comprehensive representation is preferred by the Petitioner to the competent

authority, the same shall be dealt with on merits and within a period of 12 weeks from the date of receipt of such representation.

6. Writ petition stands disposed of

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]