

Amol

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

**WRIT PETITION NO. 14737 OF 2023**

Annasaheb Shivaji Tengale and anr. ...Petitioners

*Versus*

The State of Maharashtra and anr. ...Respondents

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**Mr Laxman Kalel**, for Petitioners.

**Ms SD Vyas, Addl GP, with Ms SR Crasto, AGP, for  
Respondent-State.**

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**CORAM    M.S. Sonak &  
                 Jitendra Jain, JJ.**

**DATED:    10 January 2025**

**PC:-**

1. Heard learned Counsel for the parties.
2. The Petitioner seeks the following substantial relief by instituting this Petition.

“(b) This Hon’ble Court be pleased to issue a Writ of Certiorari or any other appropriate Writ, order or direction under Articles 226 and 227 of the Constitution of India and to quash and set aside the impugned notice dated 14.01.2011 issued by the Ld. Deputy land acquisition collector sangli and direct respondents acquire entire land compensation to the petitioners.”

3. We are afraid that we cannot issue a directions to the government to acquire the Petitioner’s land. However, if the Petitioner feels that a portion of his land is rendered useless

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on account of the Respondents constructing a lake on the portion of the property acquired from the Petitioner for construction of such lake, it is open to the Petitioner to take out such proceedings as would be permissible under the law for claiming compensation etc.

4. The learned Counsel for the Petitioner submits that the Respondents may be directed to consider the present Petition as Petitioner's representation and dispose of such representation in accordance with law. He points out that the Petitioner has been in correspondence with Respondents and the Respondents have also carried out some exercise of measurement etc. possibly with a view to determine the quantum of compensation.

5. The above position, is not accepted by Ms Crasto, the learned AGP.

6. In any event, we direct the Respondents competent authority to consider this Petition and its annexures as a representation and to dispose of the same within three months from today in accordance with law and on its own merits. The competent authority must also hear the Petitioner and communicate its decision to the Petitioner.

7. The pendency of such representation will not preclude the Petitioner from considering whether they should resort to any other legal remedies available under the law for redressal of their grievance.

8. We clarify that we have not examined the merits of the Petitioner's grievance and therefore, all contentions of all parties are left open.

9. With the above directions, we dispose of this Petition without any costs for order. All concerned to act on an authenticated copy of this order.

**(Jitendra Jain, J)**

**(M.S. Sonak, J)**