

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11770 OF 2024

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Chitra Chintamani Sankhe & Anr.

...Petitioners

Versus

Collector of Palghar & Ors.

...Respondents

Adv. Jonita Debreo i/b. JRA Law Associates LLP for Petitioner.

Ms. S. R. Crasto, AGP for Respondent-State.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 25th September 2025

P.C.

1. This Petition has been filed under Article 226 of the Constitution of India praying for the following substantive relief, which reads thus:-

“a) That this Hon’ble Court be pleased to issue a writ of Mandamus/Certiorari, directing Respondents to take cognizance of the Petitioners applications and take the rightful measures to compensate the Petitioners for the land mentioned in para no.2 acquired and to pay compensation for delay in payment.

b) That this Hon’ble Court be pleased to issue a writ of Mandamus/Certiorari, directing Respondents more specifically the Respondents No.1 and Respondent No.2 to compensate the Petitioners for the time of their occupation and purchase of the said land.

c) Pass such other and further reliefs as this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case.

d) And for which act of kindness the Petitioner as in duty bound shall ever pray.”

2. The Petitioners are primarily aggrieved by the inaction on the part of Respondents particularly Respondent Nos. 1 and 2 in not paying them compensation for the land acquired by the Government for the construction of the road. Petitioner No.1 is a 65 years old widow and her land has been acquired without paying compensation for the purposes of construction of the aforesaid road without following due process of law. It is the Petitioner's contention that they have been following up with the Respondents continuously and have been made to run from pillar to post to get the aforesaid compensation amount. It is also the Petitioners' contention that they have filed several applications from time to time before the Respondents, however the same have not been acted upon or responded to by the aforesaid Respondents.

3. In our view, this inaction on the part of the Respondents is causing grave prejudice to the Petitioners and considering the limited relief that the Petitioners seek in the present Petition and although there being no written opposition/reply of the Respondents, considering the nature of the orders which we propose to pass, no prejudice would be caused to the Respondents. The following order would serve the ends of justice:-

ORDER

i. We direct the Respondents particularly Respondent Nos. 1 and 2 to consider and decide the pending applications of the Petitioners regarding payment of compensation in accordance with law as expeditiously as possible, preferably

within a period of six weeks from the date this order is made available to the said Respondents by the Petitioners.

- ii. All rights and contentions of the parties are expressly kept open.
- iii. The Petition is disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)