

Sayali

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

WRIT PETITION NO. 15068 OF 2024

Dilip Mahadev Patil and Others ...Petitioners

Versus

the State of Maharashtra
thr. Government Pleader and Others ...Respondents

Mr G. T. Kanchanpurkar, for Petitioner.

Mr Aditya R. Deolekar, AGP for State/Respondent Nos. 1 to 3, 5 and 6.

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

DATED: 07 APRIL 2025

PC:-

1. Mr. Kanchanpurkar states that copies of the Petition were served upon the Respondents. Still, Mr. Deolkar today says that an additional copy is required, Mr. Kanchanpurkar agrees to serve the additional copy to Mr. Deolekar in the course of the day. In fact, he has now served the copy to Mr. Deolekar in the Court and Mr. Deolekar has accepted the copy.

2. Mr. Kanchanpurkar states that the issue raised in this Petition is covered by the decision of this Court in the case of **Genba Laxman Pawagi Vs. State of Maharashtra and Others**¹. Mr. Kanchanpurkar points out that this decision is not set aside by the Hon'ble Supreme Court but there is a stay regards the directions for payment of compensation.

¹ 2017 (6) ALL MR 193

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3. Accordingly, concerned Respondents are directed to file and serve their response by 30 April 2025 without seeking any adjournments or giving any excuses. The concerned Respondents must appreciate that the grievance of the Petitioners is that the property in question was allotted to the Petitioners by way of rehabilitation. The Petitioners now complain that there is no water source or water supply to the properties as a result of which, there is no effective rehabilitation. Therefore, in a matter of this nature, the necessary affidavits clarifying the factual position and giving suggestions for some effective solution must be filed by 30 April 2025 without giving any excuses. This time, no affidavit is filed and served by 30 April 2024, we might consider requiring the Officers responsible for filing their reply to personally pay substantial costs to the Petitioners.

4. List the matter on 05 May 2025 at 2.30 pm.

5. A copy of this order is directed to be placed before the Revenue Secretary so that the Revenue Secretary will prevail upon the concerned officer to file the affidavit within the time now granted.

6. Mr. Deolekar has kindly agreed to place on an authenticated copy of this order before the Revenue Secretary.

(Jitendra Jain, J)

(M.S. Sonak, J)