

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15906 OF 2024

Shri. Gunwant Lahu Chaudhari

...Petitioner

Vs.

The District Collector, (Land Acquisition) & Ors.

...Respondents

Mr. Saurabh Patil with Mr. Dhanraj Lodha for Petitioner.

Smt. Vrishali Raje, AGP for State.

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

DATE: 09 DECEMBER 2025.

P.C.

1. This petition under Article 226 of the Constitution of India is filed praying

for the following reliefs:-

“A) That this Hon’ble Court be pleased to issue a Writ of Certiorari or any other appropriate Writ, order or direction in the nature of Writ of Certiorari thereby quashing and/or setting aside the impugned order dated 07/08/2024 passed by the Sub-Divisional Officer (Land Acquisition) Nashik, which is annexed as “Exhibit A” hereto.

B) That this Hon’ble Court be pleased to direct the Hon’ble Sub-Divisional Officer Land Acquisition (Respondent no.3) Nashik to release the amount of Rs.5,13,15,436/- (Rupees Five Crore Thirteen Lakhs Fifteen Thousand Four Thirty Six only) as per the Award LA/NASHIK/KAV/214/2024 dated 07/02/2024 with respect to the land Gat no. 91/1/1 area admeasuring 02H-17.95R, Village; - Rajurbahula, Taluka; - Nashik, District: Nashik along with an interest of 9% P.A. in favour of the Petitioner.

C) That pending the hearing and final disposal of the present Writ Petition, this Hon’ble Court be pleased to stay the Order No: SDO/LA/KAV/138/2024 dated 07/08/2024 till the final disposal of the Writ Petition.”

2. At the outset, Mr. Saurabh Patil, learned counsel for the petitioner, submits that the reliefs sought for are covered by the order dated 13 October 2025, passed on Civil Writ Petition No. 9619 of 2025 [Chandrakant Dattatray Chaudhary vs.

The District Collector (Land Acquisition) Nashik & Ors.]. The said order is required to be noted which reads thus:-

“1. In this petition filed under Article 226 of the Constitution of India the only intervention of the Court as urged on behalf of the Petitioner, is that in the operative order passed by the Sub Divisional Officer (Land Acquisition No.II), Nashik, in respect of the amounts being deposited with the Civil Court, the amounts will now be required to be deposited with the authority as per Section 2(a-1) and 3(f) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Such contention is correct which needs to be accepted.

2. Accordingly we direct the Sub Divisional Officer (Land Acquisition No.II), Nashik to take appropriate steps to move the Civil Court and obtain orders and transfer the said amounts to the authority as stipulated under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. Considering the limited orders we are called upon to pass, in our opinion, as the Respondents are not represented, no prejudice will be caused to the Respondents. We keep open all the contentions of Respondent nos.5 and 6. We, however, direct that the authority shall follow the procedure in law and only after hearing the Petitioner and Respondent nos.5 and 6, take appropriate decision on any application on the main proceedings in regard to the disbursement of amounts. All contentions of the parties in that regard are expressly kept open. Disposed of. No costs.”

3. Learned AGP has no objection to the petition being disposed of in terms of the said order.

4. We accordingly dispose of this petition in terms of the order dated 13 October 2025.

5. Accordingly, the Sub-Divisional Officer, (Land Acquisition No.II), Nashik, is directed to take appropriate steps to move the Civil Court and obtain orders for the transfer of the amount to the authority constituted under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013, as undertaken, within a period of four weeks from today.

6. All contentions of the parties in the pending proceedings are expressly kept open.

7. Disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)