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PRAKASH
PATIL

Darshan Patil

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 842 OF 2025

Amit Akheraj Chheda and Ors. ...Petitioners

Versus

State of Maharashtra and Ors. ...Respondents

Mr Gaurav Potnis, i/b Mr P H Potnis, for the Petitioners.

Ms V R Raje, AGP, for the Respondent-State.

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

DATED: 17 January 2025

PC:-

1. Not on board. Upon mentioning taken on board.
2. Heard learned counsel for the parties.
3. Mr Potnis, learned counsel for the petitioners states that service has been effected on the respondents 1 to 5, 9, 10a, 10b and 10d. He points out that respondents 10a, 10b and 10d refuse to accept the service and affidavit in that regard is filed in the Registry.
4. Ms Raje learned AGP seeks some time to respond to the allegations made in this petition.
5. Mr Potnis states that the petitioners have raised serious disputes regards apportionment. It is the petitioners' case that the private respondents are not entitled to any compensation. Still, the third respondent is bent upon disbursing compensation of almost Rs.7 Crores to the private

respondents. He points out that whenever there is a dispute of apportionment then in terms of Section 19C(4) the Land Acquisition Officer is duty bound to refer such dispute for determination of the Court and also deposit the compensation in the Court.

6. Accordingly, we restrain the 3rd respondent from disbursing the compensation in respect of Gat No.50 situated at Village Khopi, Taluka Bhore, District Pune, in favour of any of the parties including the private respondents until the next date.

7. Stand over to 14 February 2025 for final disposal at the admission stage.

8. The third respondent must file an affidavit explaining whether any dispute was at all raised by the petitioners and if raised, how, despite such dispute, the third respondent has proposed to disburse the entire compensation amount to private respondents.

9. The private respondents may also file their affidavits if they so choose. The affidavits must be filed and served by 07 February 2025.

10. All concerned to act on the authenticated copy of this order.

11. Ms Raje is requested to immediately communicate this order to the third respondent.

(Jitendra Jain, J)

(M.S. Sonak, J)