

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

PRACHI
PRANESH
NANDIWADEKAR

Digitally signed
by PRACHI
PRANESH
NANDIWADEKAR
Date: 2025.03.07
12:34:21 +0530

WRIT PETITION NO.3465 OF 2025

Satish Ramchandra Jadhav & Ors.	..	Petitioners
<u>Versus</u>		
The State of Maharashtra & Ors.	..	Respondents

Mr. Vishwanath Talkute for the Petitioner.
Mr. Aditya Deolekar, AGP for the State.

**CORAM : M. S. Sonak &
Jitendra Jain, JJ.**
DATE : 6 March 2025

PC.:-

1. Heard learned counsel for the parties.
2. This petition basically seeks following reliefs :-
 - (a) a declaration that the State has violated Articles 14, 21 and 300A by acquiring land in excess of the slab limit notified. This acquisition took place vide award dated 31 January 1976;
 - (b) for correction of the award dated 31 January 1976 by excluding the alleged excess acquisition;
 - (c) for quashing of allotment order dated 12 July 2017 by which the petitioner's allegedly excess acquired land is allotted to some project affected persons.
 - (d) to pay the petitioners compensation in respect of the excess acquired land.
3. Atleast *prima facie*, the petitioners will have to meet with the respondent's objection regarding inordinate delay and laches. Be that as it may, the urgent interim relief now applied for is to restrain the petitioner's dispossession. There is no clarity as to whether the

petitioners continue to be in possession. The award admittedly refers to the land which the petitioners now claims to be in possession. Even allotment was made in 2017. This petition is filed only on 28 February 2025.

4. Though, we do not wish to dispose of this petition hastily, we are satisfied that no case is made out for grant of any ad-interim reliefs in the above circumstances. Accordingly, the prayer for ad-interim relief is rejected. Any action that the respondents now take would be subject to final orders in this petition.

5. The concerned respondents must file their replies within four weeks after serving an advance copies upon the petitioners.

6. List this matter on 4 April 2025.

(Jitendra Jain, J.)

(M. S. Sonak, J.)