

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

WRIT PETITION NO. 10745 OF 2025

Shashikala B. Patil & Ors.

...Petitioners

Versus

The Deputy Collector (Land Acquisition) & Ors.

...Respondents

Mr. Sanket Thakur for Petitioners.

Mr. Rajan Pawar, AGP for Respondent-State.

Mr. Soham Bhalerao i/b. DSK Legal for Respondent No.8.

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

DATE: 24th NOVEMBER 2025

P.C.

1. We have heard learned Counsel for the parties.
2. This Petition under Article 226 of the Constitution of India is filed praying for the following substantive reliefs:-

“a. This Hon'ble Court may be pleased to issue a writ of Certiorari or any other writ, order, direction in the nature of writ Certiorari, calling for the records and proceeding from the office of the Respondent No. 1 [i.e. Deputy Collector (Land Acquisition), Metro Centre No. 1 Uran] and the Office of the Respondent no.7 and 8; relating to the acquisition of the lands more specifically Notification u/s 11 of the Act issued for Petitioners suit lands situated at village Jasai Taluka Panvel District Raigad. (At Exhibit A and B) and upon scrutiny and perusal as to the legality, validity, propriety, as well as correctness of the impugned Notification u/s 11 dated 20/12/2021 issued under the Act of 2013; this Honourable court may be pleased to quash & set aside the said impugned Notification and the entire land acquisition proceeding as illegal & void ab initio. (At Exhibit-B)

b. This Hon'ble Court may be pleased to issue a writ of Certiorari or any other writ, order, direction in the nature of writ Certiorari

holding that the Impugned Notification u/s 11 of the Act of 2013 and the land acquisition proceeding for the Petitioners suit lands as 'Lapsed' by operation of Section 19(7) and Section 25 of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013 and accordingly the same may be quashed and set aside. (At Exhibit-B)

c. This Honourable court may be pleased to issue a writ in the nature of Mandamus or any other direction or order in the nature of a writ of Mandamus, directing the Respondent Nos 1, 7 and 8 to delete of the entry of acquisition for suit land belonging to the Petitioners and to correct the Revenue Record in respect of the suit lands at Village Jasai, Tal. Uran District Raigad. (At Exhibit-A)”

3. Mr. Pawar, the learned AGP for the State, submits that a notification under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 was issued on 20th December 2021. He further submits that, by virtue of Section 19(7) of the Act, when no declaration under sub Section (1) was made within twelve months from the date of the preliminary notification, such notification shall be deemed to have been rescinded.

4. In this view of the matter, the parties would not dispute that the Petition would be required to be allowed. The Petition is accordingly allowed in terms of prayer clause (a). Consequential reliefs would also required to be granted.

5. At this stage, Mr. Pawar submits that the relevant revenue entries have already been deleted. If that is so, a written acknowledgment of the said fact shall be issued to the Petitioner within a period of two weeks from today.

6. Needless to observe that, in the event the State needs to acquire the subject land, in future, it can be done only by taking recourse to the provisions of the law, all contentions in that regard are expressly kept open.

7. Disposed of. No order as to costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)