



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 583 of 2025

[Shri Prashant Mukundrao Paunikar ..vs.. State of Maharashtra through Collector, Nagpur
and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. P Kariya, Advocate for the petitioner
Ms. K. P Marpakwar, AGP for the State

CORAM : ANIL L. PANSARE J.

DATED : 03-02-2025

Heard.

2. The grievance of the petitioner is that respondent no. 4 has refused to refer the dispute to Civil Court for apportionment in terms of Section 30 of the Land Acquisition Act, 1894 without giving opportunity of hearing.

3. Learned Assistant Government Pleader has invited my attention to the impugned order to submit that amount of compensation has been already disbursed and further there is no dispute as regards such disbursement and, therefore, the question of apportionment of amount would not arise and accordingly, she supports the impugned order.

4. May be that what has been stated by respondent no. 4 is correct, but then unless the petitioner is given opportunity, one could not reach final conclusion. In that view of the matter, an opportunity will have to be given to the petitioner before reaching any final conclusion.

5. The petition is accordingly party allowed. The order dated 17-1-2025 passed by respondent no. 4 in Case No. क्र./अ.का./उजि.भूसं.३/कावि - ४२/२०२५ is quashed and set aside.

6. Respondent no. 4 shall consider the application filed by the petitioner afresh in accordance with law including giving opportunity of hearing.

7. The petitioner shall appear before the respondent no. 4 on 7-2-2025.

8. All concerned to act upon authenticated copy of this order.

9. Writ petition is disposed of in above terms with no order as to costs.

(Anil L. Pansare, J.)

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