

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

WRIT PETITION NO. 9226 OF 2025

Dadarao s/o Namdev Kale & Ors. ... **PETITIONERS**

Versus

The State of Maharashtra & Ors. ... **RESPONDENTS**

Ms. Vaishali Deshmukh, Advocate i/by Mr. Ninad P. Patil, Advocate for Petitioners.

Mr. Ashok Misal, Advocate for Respondent No.6.

Ms. T. J. Kapre, AGP for Respondents/State.

Mr. Pravin Birajdar, Official Assistant, Deputy Collector Land Acquisition No.7 (Mohol), Solapur present in Court.

**CORAM : MADHAV J. JAMDAR AND
PRAVIN S. PATIL, JJ.**

DATE : MARCH 04, 2026.

P.C. :

. Heard Ms. Vaishali Deshmukh, learned Counsel appearing for the Petitioners, Mr. Ashok Misal, learned Counsel for Respondent No.6 and Ms. Kapre, learned AGP for Respondents/State.

2. In this Petition, grievance raised by the Petitioners is that without acquisition of lands, viz - Gat No. 68/1 admeasuring 0.37 HR,

Gat No. 69/2 admeasuring 0.33 HR and Gat No. 69/1 admeasuring 2.23 HR, total area 2.93 HR situated at Mouza Daingadewadi, Tahsil Mohol, District Solapur have been taken into possession by the Respondent No.4 – Deputy Collector/Special Land Acquisition Officer, Land Acquisition No. 7, Mohol, District Solapur for construction of percolation tank No.1 of village Daingadewadi, Tahsil Mohol, District Solapur.

3. Perusal of the record shows that the said percolation tank has been constructed in different villages without acquisition of the lands. Thus, it has been prayed that the directions be issued to the Respondents to acquire the land and pay compensation with interest from the date of taking possession of the land.

4. The Affidavit-in-reply in this Petition has been filed by the Deputy Collector, Land Acquisition No.7, Mohol, District Solapur. The Affidavit-in-reply states that the office of Deputy Collector, Land Acquisition Officer No.7, Mohol, District Solapur has issued Notification under Section 11(1) of the Right to Fair Compensation and Transparency In Land Acquisition, Rehabilitation and Settlement

Act, 2013 on 2/2/2026. The relevant part of Affidavit dated 2/3/2026, more particularly, paragraph Nos.5 to 7, reads as under :

"5. I say that the record of this Office shows that the farmers of above said villages have filed representation before Under Secretary, Planning Department (E.G.S.), Mantralaya, Mumbai in respect of payment of compensation amount. I say that in pursuance of representations of farmers, before the Under Secretary, Planning Department (E.G.S.), Mantralaya, Mumbai issued letter dated 29/1/2026 to the Hon'ble Divisional Commissioner, Pune and Deputy Collector Land Acquisition Officer No.7 (Mohol), Solapur regarding initiation of action under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Hereto annexed and marked as Exhibit-B is the copy of Letter issued by the Under Secretary, Planning Department (E.G.S.), Mantralaya, Mumbai dated 29/01/2026.

6. I say that the office of Deputy Collector Land Acquisition Co-ordination Branch Solapur issued letter on 30/01/2026 to Deputy Collector Land Acquisition Officer No.7 (Mohol), Solapur in respect of initiation of steps/action under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 upon the representation of the farmers. Hereto annexed and marked as Exhibit-C is the copy of letter issued by Deputy Collector Land Acquisition Co-ordination Branch Solapur dated 30/01/2026.

7. I say that in pursuance of letter dated 29/01/2026 and dated 30/01/2026, the Office of Deputy Collector Land Acquisition Officer No.7 (Mohol) Solapur issued a notification

under Section 11(1) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 on 02/02/2026 and the said notification has been forwarded for publication in the Government Gazette on 02/02/2026. Hereto annexed and marked as Exhibit-D is the copy of Draft Notification issued under Section 11(1) by the office of Deputy Collector Land Acquisition Officer No.7 (Mohol) Solapur.”

5. Thus, it is clear that the Respondents/Authorities have started acquisition proceedings. In view of the same, the relief sought in the present Petition has been worked out.

6. All contentions with respect to the quantum of the compensation as also from the date, from which the compensation is required to be paid, and whether the Petitioners are entitled for interest, if any, are kept open.[-

7. Writ Petition stands disposed of accordingly.

[PRAVIN S. PATIL, J.]

[MADHAV J. JAMDAR, J.]