

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

**WRIT PETITION NO. 9827 OF 2025**

Popat Babu Shelke and Others. ...Petitioners.

**Versus**

The State of Maharashtra and Others. ...Respondents.

**WITH**

**WRIT PETITION NO. 9900 OF 2025**

Kalyan Maruti Pasale and Others. ...Petitioners.

**Versus**

The State of Maharashtra and Others. ...Respondents.

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*Ms. Vaishali B. Deshmukh for the Petitioner.*

*Ms. Tejas J. Kapre, AGP for the Respondent-State.*

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**Coram : Milind N. Jadhav &  
Nandesh S. Deshpande , JJ.**

**Date : June 16, 2026.**

**P. C. :**

1. Grievance of the Petitioner in the present case is that his land is acquired in the year 1998 but he has not been paid compensation. The case of the Petitioner stands duly accepted in the affidavit-in-reply filed by the Deputy Collector, Land Acquisition No.2(Mohol), District Solapur dated 2<sup>nd</sup> March 2023 pursuant to the directions given by this Court. The said affidavit-in-reply is appended at page nos.36 to 41. In that affidavit-in-reply, the Deputy Collector has made following submissions :

"4) I say that the record of this office shows that District Water Conservation Officer, Minor Irrigation Department, Z.P. Solapur submitted detailed proposal on 09/01/2026 to Deputy Collector, Coordination Solapur for acquiring an total area 09 H. 59 R. out of above mentioned Gat Numbers situated at village Konheri, Tal. Mohol, Dist. Solapur for Percolation Tank No.9. Hereto annexed and marked as Exhibit- A is the copy of Report of District Water Conservation Officer, Minor Irrigation Department, Solapur dated 09/01/2026.

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 the Under Secretary, Planning Department (E.G.S.), Mantralaya, Mumbai issued Letter dated 29/01/2026 to the Hon'ble Divisional Commissioner Pune Division 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 Coordination Branch Solapur issued Letter on 30/01/2026 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 Coordination Branch Solapur dated 30/01/2026.

7) I say that as stated above the action / steps will be taken as per the prescribed procedure for passing of Award only after compliance of regular procedural formalities by the Deputy Collector Land Acquisition Officer No. 7 (Mohol) Solapur as early as possible as per directions of the State Government. I say that amount of compensation due and payable as per Act of 2013 after complying with all due and regular formalities will be paid to all the farmers whose land was / is acquired for this project of construction of percolation tank."

2. The Petitioner confirms that he is one of the farmers whose land has been acquired and whose representation is pending before the Under Secretary which is referred to in paragraph no.5. Learned Advocate for the Petitioner also apprises the Court that in certain

companion / similar writ petitions, on the directions given by the Court notification has already been issued under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [for short, "**LARR Act, 2013**"]. She would therefore persuade the Court to direct Respondent Nos.1 to 5 to take similar steps in the case of the Petitioner and issue the notification.

3. Insofar as the Petitioner's case is concerned, paragraph No. 7 of the affidavit-in-reply of the Government and its functionaries *prima facie* states that steps will be taken as per the prescribed procedure for passing of award only after compliance of regular procedural formalities by the Deputy Collector Land Acquisition Officer No. 7 (Mohol) Solapur as early as possible as per directions of the State Government. Such kind of omnibus in-discretionary submission does not take case of the Petitioner any further.

4. As determined by this Court in similarly placed cases, the Government will have to be put to notice. Respondent Nos.1 to 5 are therefore directed to issue notification in the case of Petitioner's land under LAAR Act, 2013, as has been done in the similarly placed cases, within a period of four weeks from today, positively. Needless to state that further steps for acquisition of Petitioner's land under LAAR Act, 2013 will have to be followed by the Government in accordance with law.

5. All contentions of the Petitioner are otherwise kept open.
6. Liberty to apply in case of difficulty.
7. With the above directions, writ petitions are disposed of.

**[Nandesh S. Deshpande J.]**

**[Milind N. Jadhav, J.]**