

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10935 OF 2024

Kiran Nanasaheb Waghere .. Petitioner
V/s.
The Divisional Commissioner .. Respondents
Pune And Ors

Mr. Prasad Kulkarni, for Petitioner.

Ms. Leena Patil, 'B' Panel Counsel, for Respondent/ State.

CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.
DATE : 12TH JANUARY 2026.

PC:

1. Heard learned counsel for the Parties.
2. By this Petition the Petitioner has sought limited relief in terms of prayer clause (b), which reads as follows:

(b) This Hon'ble Court may kindly be pleased to issue writ of mandamus or any other writ in the nature of writ of mandamus or any appropriate writ, order or direction to the Respondent No. 2 i.e. the District Collector to direct his officials to delete the entries of reservation for Kasarsai Ujawa Kalwa Vitarika Kra 7, 8, 9, 10 Project from the other rights column of the 7/12 extract of the land bearing Survey No. 30, admeasuring 2H, 58R situated at village Man, Tal. Mulshi, District-Pune which

is owned and possessed by the Petitioner.”

3. The aforesaid prayer is made on behalf of the Petitioner on the ground that the acquisition proceeding undertaken by the Respondents lapsed.

4. In the reply affidavit filed by the Respondent No. 3 i.e. Deputy Collector, Land Acquisition, in Paragraph 3, i.e. the Deputy Collector (Land Acquisition), in Paragraph 3, it is stated as follows :

“3. I say that, this Respondent No. 3 issued Notification under section 4 of the Land Acquisition Act, 1894 to acquire the lands from Maan, Tal-Mulshi, Dist-Pune and it was published in Government Gazette on 31/03/2005. Thereafter this Respondent No. 3 issued Notification under section 6 of the Land Acquisition Act 1894 and it was published in Government Gazette on 15/06/2006. Thereafter no steps was taken by this Respondent No. 3 to pass the Award to acquire the land in Survey No. 30 from Maan, Tal-Mulshi, Dist-Pune. Further I say that this Respondent No. 3 has already informed the Petitioner that the said Land Acquisition proceeding has been lapsed as the procedural requirements for the Land Acquisition proceeding were not completed.”

5. In view of the admitted position that the land acquisition proceeding lapsed, there is no impediment in granting relief in terms of prayer clause (b), quoted hereinabove.

6. In view of the above, Writ Petition is allowed in terms of prayer

clause (b) and accordingly, the Respondent No. 2 is directed to issue appropriate directions to the concerned officials for deleting the entries made in the other rights column of the 7/12 extract pertaining to the subject land

7. Exercise be carried out within four weeks from today.

8. Pending applications, if any, also stand disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)