

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.15804 OF 2025

Ramchandra Dagadu Bankar and another ... Petitioners

Vs.

State of Maharashtra through Secretary
Revenue and Forest Department and others ... Respondents

WITH
INTERIM APPLICATION NO.385 OF 2026
IN
WRIT PETITION NO.15804 OF 2025

Kantabai Tukaram Vidhate and others ... Applicants

In the matter between:

Ramchandra Dagadu Bankar and another ... Petitioners

Vs.

State of Maharashtra through Secretary
Revenue and Forest Department and others ... Respondents

Mr. Divyesh K. Jain for Petitioners.

Ms. A. A. Purav, AGP for Respondents-State.

Mr. Pankaj Kavale a/w. Ms. Amruta Patil and Ms. Ashwini Madake for
Applicants in IA/385/2026.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**

DATE : JANUARY 23, 2026

P.C. :

. In this petition, respondent Nos.2 and 3 i.e. District Collector and
Land Acquisition Officer have filed their reply affidavit.

2. One of the aspects referred to in the reply affidavit pertains to the
apparent dispute between the claimants with regard to compensation
towards trees, bore-well, structures, etc. and in that context, enhanced
amounts claimed by them. It appears that in this situation, the said
respondents have treated this as a situation where the claimants, after

having given consent, are now seeking enhancement of quantum of compensation. On this basis, it is stated in the reply affidavit that certain steps have been taken to move a proposal for converting the present acquisition into a case of compulsory acquisition.

3. The learned counsel appearing for the petitioners and the learned counsel appearing for the intervenors submit that the dispute between the claimants, who are members of the same family, is limited to apportionment of compensation for the component of trees, bore-well, structures, etc. and that, there is no dispute with regard to the apportionment of compensation pertaining to the component of land. In other words, it is indicated that the claimants do not claim any enhancement of quantum of compensation as determined under the consent award.

4. Considering the aforesaid statement made before this Court, the respondents are restrained from proceeding on the proposal of converting this into a case of compulsory acquisition during the pendency of this petition.

5. During the course of arguments, we found that the two petitioners and the intervention applicants / claimants are members of the same family. However, three more claimants, who are not before this Court, include the brother of petitioner No.1 and the mother and sister of petitioner No.2.

6. Considering the fact that there is no dispute about the intervention applicants being claimants and related to the petitioners, we are inclined to allow the intervention application. Accordingly, Interim Application No.385 of 2026 is allowed and the intervenors are directed to be added as party respondent Nos.4 to 9 in this petition.

7. We also find that it would be in the interest of justice that the remaining claimants and relatives of the petitioners i.e. the brother of the petitioner No.1 and the mother and sister of the petitioner No.2 are also directed to be added as party respondent Nos.10 to 12.

8. In view of the intervention application being allowed and the proposal on behalf of the petitioners to add the brother of petitioner No.1 and the mother and sister of petitioner No.2 as party respondents, leave is granted to carry out amendment to add all the aforesaid persons as party respondents. The amendment be carried out within a week from today.

9. Issue notice to the newly added respondents.

10. Mr. Kavale, learned counsel waives notice on behalf of the newly added respondent Nos.4 to 9.

11. Additionally, the petitioners are permitted to serve newly added respondent Nos. 10 to 12 by way of private service and to file an affidavit of service before the next date of listing.

12. The petitioners are also permitted to file rejoinder affidavit within two weeks from today.

13. List this petition for final disposal on 16.02.2026, High on Board.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)