

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 7327 OF 2016

Smt. Bhimi Rama Shelar ...Petitioner
Versus
The State Of Maharashtra Through The Collector ...Respondents

Mr.Pralhad Paranjape i/b. Mr.J.M.Joshi, for the Petitioner.

Mr.PPKakade, AGP for the State-Respondent.

CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.

DATE :- JANUARY 31, 2017

P. C. :-

1. The petitioner who is a project affected person her land is being acquired by the Government of Maharashtra for the purpose of construction of 'Koyana Dam', is before us seeking a direction that the Respondent -State of Maharashtra, through Collector, District Raigad, be directed to hand over possession of the alternate land allotted to the petitioner being land bearing Gat No.402, ademasuring 0.13 Ares, Gat No.403 admeasuring 0.59 Ares, Gat No.404 admeasuring 0.11 Ares, situated at Mauje- Ghodiwali as also the land situated at Mauje-Dahiwali being Gat No.24/0 admeasuring 0.77 Ares, totally admeasuring 1 Hectare 60 Ares, which were allotted to the petitioner as alternate lands.

2. It is the case of the petitioner that out of the said land admeasuring 1 Hectare 60 Ares is allotted to the petitioner, the petitioner was put in possession of land totally admeasuring 1 Hectare 4 Ares out of the said Gat numbers and the petitioner has not received possession of the remaining 0.13 Ares of land from Gat No.402 and 0.43 Ares of land from Gat No.403 situate at Mouje-Ghodivali, Taluka Khalapur, Dist. Raigad.

3. There appears to be no dispute on the above facts pertaining to the allotment of the said alternative lands. In the facts and circumstances of the case, we consider it appropriate to pass the following order:-

ORDER

(i) The Petition is disposed of by directing the Respondent-Rehabilitation Officer to treat the Writ Petition as a representation of the petitioner so far as inaction in handing over the possession of 0.56 Ares of land.

(ii) The representation shall be considered and disposed of strictly in accordance with the procedure contemplated within three months from today.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)