

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1734 OF 2026

Lilabai Shankar Buchade and Ors .. Petitioners

V/s.

State of Maharashtra Throu. Its .. Respondents  
Principal Sec. Govt of Maharashtra and  
Ors

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Ms. Amrita Kharkar, a/w Ms. Sayalee Bhosale, i/b P. H. Potnis, for the  
Petitioners.

Ms. M. S. Bane, AGP for Respondent Nos. 1 to 3 and 6- State.

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

DATE : 9TH FEBRUARY 2026.

PC:

1. Heard learned counsel for the petitioners.
2. According to the petitioners, land acquisition proceedings undertaken in respect of their lands stood lapsed by operation of law, i.e. Section 11A of the Land Acquisition Act, 1894. It is brought to the notice of this Court that declaration under Section 6 of the said Act was published on 16<sup>th</sup> May 2002 and till date no land acquisition award has been pronounced.
3. In fact, copies of communications placed on record exchanged between the officers of the respondent-State, including the Special Land Acquisition Officer, the Deputy Collector and the Collector of Pune do

indicate that land acquisition award was never pronounced in pursuance of the said declaration issued way back in the year 2002 and that proposals were moved for fresh land acquisition proceedings to be undertaken.

4. It is further brought to our notice that in this backdrop, recently the officials of the respondent-Pune Metropolitan Region Development Authority (PMRDA) have threatened the petitioners of dispossession from their lands, claiming that the lands are required for construction of Canal Road.

5. In the light of the documents filed along with the writ petition, we find that the petitioners have indeed made out a strong *prima facie* case in their favor to contend that the respondents, particularly PMRDA cannot interfere with their peaceful possession of the subject lands.

6. In view of the above, issue notice for final disposal returnable on 25<sup>th</sup> March 2026, 'High on Board.' Learned AGP waives notice on behalf of Respondent Nos. 1 to 3 and 6. Additionally, the petitioners are permitted to serve Respondent Nos. 4 and 5 by way of private service and to file an affidavit of service before the next date of listing.

7. In the meanwhile, there shall be ad-interim relief in terms of prayer Clause (f), which reads as follows:

*“F Pending the hearing and final disposal of this Petition, that this Hon’ble Court be pleased to issue a Writ of*

*Mandamus or an Order or a Direction in the nature of Writ of Mandamus or any other appropriate Writ, Order or Direction restraining the Respondents and its agents from entering and taking possession of any area for Gat No. 49/1 admeasuring of 38 R situated at Village- Marunji, Hinjewadi, Taluka- Mulshi, District- Pune.”*

**(SHREERAM V. SHIRSAT, J.)**

**(MANISH PITALE, J.)**