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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10231 OF 2022

Nivrutti Sudam Sonawane

...Petitioner

Versus

Deputy Collector Rehabilitation
Pune District & Anr.

...Respondents

Mr P D Dalvi i/by Mr Rushikesh Patil for Petitioner.

Mr B V Samant, Addl GP a/w Ms M S Bane, AGP for the State.

CORAM : M. S. Sonak &
Jitendra Jain, JJ.

DATED : 30 January 2025

PC.:-

1. By our order dated 16 March 2023, we had directed the respondents to file the affidavit in reply indicating whether 65% has been deducted from the compensation or not. The affidavit should also indicate whether the petitioner had made an application for allotment of alternate land, and if made, whether the same is processed or not and whether the issue of eligibility is already decided or not.

2. The affidavit in reply has been filed by Ajay More, Additional Collector of Pune. This affidavit is vague as vagueness it can be and the said affidavit completely ignores our order dated 16 March 2023. Such affidavit cannot be recorded as compliance with our order dated 16 March 2023.

3. Based on such affidavit, even the Government Advocate who appears on behalf of the respondent were virtually helpless in making submissions. In the matter of this nature, we expect full details from the respondent.

4. Accordingly, we direct the Collector of Pune to file detail affidavit stating out details required by us in our order of 16 March 2023. The affidavit must specifically consider the issue of challan produced by the petitioner at Exh.D Page No.25. The affidavit must inform us about compliance within the provisions of Maharashtra Project Affected Persons Rehabilitation Act, 1986 in general and provisions of Section 16 of the Act in particular.
5. Such an affidavit must be filed and served by 14 February 2025.
6. List the matter on 21 February 2025.

(Jitendra S. Jain, J.)

(M. S. Sonak, J.)