

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 1231 OF 2024**

Shankar Rahu Alias Ranu BendurePetitioner.
Vs.
The State Of Maharashtra & Ors.Respondents.

**WITH
WRIT PETITION NO. 15052 OF 2024**

Damu Dhondiba DangalePetitioner.
Vs.
The State Of Maharashtra & Ors.Respondents.

**WITH
WRIT PETITION NO. 16546 OF 2024**

Genu Tukaram Shivekar
Since Deceased Thr- LRsPetitioner.
Vs.
The State Of Maharashtra & Ors.Respondents.

**WITH
WRIT PETITION NO. 14474 OF 2025**

Malhari Ishwar ShivekarPetitioner.
Vs.
The State Of Maharashtra & Ors.Respondents.

**WITH
WRIT PETITION NO. 14649 OF 2025**

Shankar Savaleram Wazarkar
Since Deceased Thr- LRsPetitioner.
Vs.
The State Of Maharashtra & Ors.Respondents.

**WITH
WRIT PETITION NO. 14380 OF 2025**

Jangal Savaleram Wazarkar

Since Deceased Thr- LRs

.....Petitioner.

Vs.

The State Of Maharashtra & Ors.

.....Respondents.

Mr. Y. B. Lengare a/w Adv. Sunny Sadafule for the Petitioner(s).

Shri. B.V. Samant, Addl. GP a/w. Smt. N.M. Mehra AGP, for the Respondent-State in WP No.1231 of 2024.

Smt. Dhruiti Kapadia, AGP, for the Respondent-State in WP No.16546 of 2024.

Shri. S.H. Kankal AGP, for the Respondent-State in WP No.15052 of 2024.

Smt. Reena A. Salunkhe AGP, for the Respondent-State in WP No.14474 of 2025.

Smt. P.J. Gavhane AGP, for the Respondent-State in WP No.14649 of 2025.

Shri. B.V. Samant, Addl. GP for the Respondent-State in WP No.14380 of 2025.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 6th MAY, 2026.

PC.:-

1) Paragraph No.5 of Affidavit-in-reply dated 5th May, 2026 of the

Divisional Commissioner, Pune reads as under:-

“5. I say that a policy decision was taken by the Hon’ble Chief Minister of Maharashtra on 08/03/2019 regarding the rehabilitation of Project Affected Persons of the Bhama Ashed Project. As per the said policy, it was decided to grant monetary compensation at the rate of Rs.15,00,000/- (Rupees Fifteen Lakhs only) per hectare. I say that during

*the period from 2019 to till date, monetary compensation amounting to Rs.97,28,30,000/- has been paid to 823 Project Affected Persons. I say that the particulars of land acquired, compensation paid, and relevant dates of applications and payment are compiled in a table. Hereto annexed and marked as **Exhibit "R-2"** is copy of the said table.'*

- 2) The documents annexed to the said Affidavit clearly indicates that, the said statement is palpably incorrect as more than 5 persons have been allotted land on and after 17th June, 2025.
- 3) Learned Additional Government Pleader tried to make a feeble attempt to justify the allotment by saying that, it is under the Orders of the Court such lands are allotted. We are unable to accept such submission for the simple reason that, once the State Government has taken a particular decision to award or grant only monetary compensation, the said fact ought to have been pointed out to the concerned Courts and such sort of frivolous pleas ought not have been raised before this Court.
- 4) It *prima facie* appears to us that, the Divisional Commissioner, Pune, has himself not verified any record and has blindly believed in the record produced by the Deputy Collector, Rehabilitation, Pune i.e. Dr. Swapnil More.

- 5) We therefore, for the time being, issue notice to these persons mentioned at Serial Nos. 211 (Mr. Kanhu Baban Navale), 212 (Kai. Ganpat Bajju Pombhale deceased heir Hirabai Baburao Pombhale, 220 (Mr. Sahadu Rambhau Navale, 221 (Kai. Kondu Genu Oval deceased heir Mr. Genu Kondu Oval & Ors. And 222 (Shri Laxman Maruti Kudale) of the chart (Exh-A) to the Affidavit, calling upon them to answer as to why the allotment granted by the State Government in their favour should not be cancelled for the violation of the decision of the Government and on account of the mal-practices adopted by the Deputy Collector, Rehabilitation, Pune as alleged by Mr. Lengare, learned counsel for the Petitioner(s). The said notices are made returnable on 19th June, 2026.
- 6) Registrar (Judicial-II) is directed to supervise the service of notices upon the said persons.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)