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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 3197 OF 2016**

Sharipah Bani Bagwan & Ors. ...Petitioners

Vs.

The State of Maharashtra  
(through its Revenue and  
Rehabilitation Department) & Ors. ...Respondents

Mr. Vishwanath S. Talkute for the Petitioner  
Mr. P.P. Kakade, AGP for the State

**CORAM : V.M.KANADE &  
M.S. KARNIK, JJ.  
DATED : 18<sup>TH</sup> MARCH, 2016**

PC. :

1. Issue notice before admission, returnable on 15<sup>th</sup> April, 2016. Shri Kakade, learned AGP waives service on behalf of Respondent Nos. 1 to 3.
2. It is submitted that the acquisition of land bearing old Gat No. 1814 situated at Pusesavali, Taluka: Khatav, District. Satara has lapsed in view of the provisions under Section 24(2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is submitted that the land was acquired by an award dated 23<sup>rd</sup> March 1995. It is the case of the petitioner that the possession of the land has not been taken so far and the

notice has been issued to take possession dated 18<sup>th</sup> February, 2016. Reliance is placed on two judgments of the Apex Court; one in the case of **Pune Municipal Corporation & Anr. Vs. Harakchand Misirimal Solanki & Ors.**, decided on 24<sup>th</sup> January, 2014 and other **Magnum Promoters Pvt. Limited Vs. Union of India & Ors. (2015) 3 SCC 327** decided on 27<sup>th</sup> November, 2014. We have gone through the said two judgments. We are of the view that prima facie case is made out for grant of ad-interim relief since possession of the land has not been taken so far though the award was passed in 1995.

3. Ad-interim relief is granted in terms of prayer clause (c).
4. Respondents to file their reply.

(M.S. KARNIK, J.)

(V.M.KANADE, J.)