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ITEM NO.2-(ph)

COURT NO.3

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14458/2009

(From the judgement and order dated 04/05/2009 in WP No.
544/2008 of The HIGH COURT OF BOMBAY AT PANAJI)

VISHNU BHICARO @ BHIKANI

Petitioner(s)

VERSUS

DEPUTY COLLECTOR (LA) & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents, PLACING ADDL. FACTS AND DOCUMENTS ON RECORD and prayer for interim relief and office report)

Date: 28/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Saurabh Kirpal, Adv.
Mr. Jayant Mohan, Adv.
Mr. Ninad Laud, Adv.
For M/S. "Coac", Adv.

For Respondent(s) Mr. Pallav shishodia, Sr. Adv.
Mr. Pawan Kumar Bansal, Adv.
Mr. Nirnimesh Dube, Adv.

Mr. Siddharth Bhatnagar, Adv.
Mr. T. Mahipal, Adv.

UPON hearing counsel the Court made the following
O R D E R

The respondents are proposing to acquire

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land measuring 8828 sq.meters of which the
petitioner claims to be the tenant. The
landlords have no objection for the
acquisition. The acquisition is initiated
under preliminary notification dated 19.2.2008
and final notification dated 10.7.2008. One of

the contentions urged by the petitioner is that the land situated to the north of his land, that is, Survey Nos.4, 5, 47, 48 and 170 are fallow lands and they are more suitable for the purpose for which his land is sought to be acquired as his land is well developed agricultural land with a fruit garden.

The respondents have contended that the lands which are described as fallow lands by the petitioner (that is, Survey No.4,5,47, 48 and 170) are also proposed for acquisition for other public purposes and therefore, those lands are not available.

In the circumstances, the respondents are directed to file an affidavit as to what steps have been taken to acquire the same and what is the present status. They may also mention whether any part of the acquired land may be left out of the acquisition.

List after two weeks.

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(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master