

ITEM NO.22

COURT NO.4

SECTION IX

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

**SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 14706/2019**

**(Arising out of impugned final judgment and order dated 04-12-2018 in WP No. 6463/2016 passed by the High Court Of Judicature At Bombay At Aurangabad)**

**MAHARASHTRA STATE POWER GENERATION CO LTD & ORS.      Petitioner(s)**

**VERSUS**

**KISHOR S/O PRABHAKAR MAHAJAN & ORS.      Respondent(s)**

**(FOR ADMISSION and I.R. and IA No.75001/2019-CONDONATION OF DELAY IN FILING and IA No.75027/2019-EXEMPTION FROM FILING O.T.)**

**Date : 09-05-2019 This petition was called on for hearing today.**

**CORAM :    HON'BLE MR. JUSTICE ARUN MISHRA  
               HON'BLE MR. JUSTICE NAVIN SINHA**

**For Petitioner(s)    Mr. Shashibhushan P. Adgaonkar, AOR**

**For Respondent(s)**

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

**Delay condoned.**

**Though the submission is correct that the affected land oustee should not be permitted to nominate a person of their choice for employment, the person to be appointed should be affected by land acquisition and should belong to the family. However, Memorandum of Understanding (MoU) was entered into of different nature and that was acted upon also, hence, in the peculiar facts and circumstances of the case, we are not inclined to interfere with the impugned Judgment and order passed by the High Court.**

The Special Leave Petition is, accordingly, dismissed. The impugned Judgment and order shall not be treated as a precedent.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(JAGDISH CHANDER)  
BRANCH OFFICER