

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

WP NO.10914/2014

32 WRIT PETITION NO. 10914 OF 2014

RAJKUMAR BAPURAO SIRSAT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioners : Mr. Joshi h/f Mr. Rajkar Ashish B
AGP for Respondent State: Mr. S.K.Kadam

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: January 05, 2015

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PER COURT :-

1. The petitioner is praying for issuance of directions to respondent no.2 to decide representation tendered by him within a stipulated period. The representation relates to computation of amount of compensation towards acquisition of additional area and valuation of trees standing on the additional area of the land. It is not a matter of doubt that the land belonging to the petitioner has already been acquired and award has been passed in the year 2005. A Reference application was presented by the petitioner to the Civil Court which has been decided and the amount admissible to the petitioner has been enhanced by the Reference Court vide order dated 26.6.2008.

2. After decision of the Reference application, it would be imprudent to go back and embark upon an enquiry which is required to be conducted by the Collector. Section 18 of the Land Acquisition Act, 1894, provides for an enquiry by the Reference

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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(2)

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Court in respect of acquisition of area and / or inadequacy of the amount of compensation which remedy the petitioner has already availed.

3. There is no merit in the writ petition. The writ petition stands dismissed.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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